



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 79<sup>th</sup> CONGRESS, FIRST SESSION

## SENATE

MONDAY, MAY 7, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of mercy and of justice, in these glad days for which our anxious souls have waited in an agony of hope deferred, we are humbly grateful that Thou art using our imperfect hands to loose the bonds of wickedness, to undo the heavy burdens, to let the oppressed go free, to break every yoke of oppression. We thank Thee that in this hour the embattled souls of those whose bodies sleep where white crosses keep their vigil are marching under banners of triumph their valor hath brought to pass.

For the clean air of freedom that at last is blowing through the putrid prisons of satanic cruelty, we bless Thy holy name; who by human swords bathed in heaven hast thundered Thy righteous sentence, "Let my people go."

We thank Thee that Thou hast allowed our grateful eyes to see truth, crushed to earth by cruel might, rising in splendor again; while error and falsehood, wounded and writhing in deserved pain, dies among its worshippers. Amid the wrecks of ancient systems in this confused day, make us worthy in our motives and desires to help lead toward the promised land of a loftier life for our children and a cleaner and fairer world for all the peoples of the earth. In the Redeemer's name, we ask it. Amen.

### THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, May 3, 1945, was dispensed with, and the journal was approved.

POST-WAR RECONVERSION — CORRESPONDENCE BETWEEN HON. O. MAX GARDNER AND THE LATE PRESIDENT ROOSEVELT

Mr. HILL. Mr. President, I ask to have printed in the Record at this point a copy of a letter addressed to the late President Roosevelt, under date of April 5, by the Honorable O. Max Gardner, chairman of the Advisory Board, Office of War Mobilization and Reconversion, which letter was written on behalf of the Board; also a copy of the late President Roosevelt's reply to Governor

Gardner's letter, and a copy of a letter from the Honorable Jonathan Daniels, secretary to the President, with reference to the late President's letter to Governor Gardner. I might say that, to my mind, this correspondence is of historic significance, particularly at this time when we know we have before us the very great and challenging problem of reconversion.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama?

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

OFFICE OF WAR MOBILIZATION  
AND RECONVERSION,  
Washington, D. C., April 5, 1945.  
The PRESIDENT OF THE UNITED STATES,  
The White House,  
Washington, D. C.

DEAR MR. PRESIDENT: As chairman of the Advisory Board of the Office of War Mobilization and Reconversion I have been directed by resolution to transmit to you the communication which follows here.

The Advisory Board of the Office of War Mobilization and Reconversion, created by Congress, appointed by you, and confirmed by the Senate, assembled this day at the White House, respectfully submits to you the following message:

We have expressed publicly our profound regret at the resignation of Justice Byrnes from the directorship of this office, and we here express our highest confidence in Judge Vinson, whom you have nominated as his successor. It is fortunate that in great crises our Nation produces public servants such as these.

Events of recent days have given us a sense of special concern about our responsibilities. The membership of the Advisory Board appointed to represent the public interest includes members experienced in the affairs of business, management, labor, and agriculture. It is the immediate responsibility of the Board, in these critical moments, to bring to the director by advice and recommendations its best thoughts and assistance, reflecting the views of the different economic groups and the opinions and feelings of the people throughout the country.

Reports from the battlefields of Europe make it clear that the days of the Nazi tyranny are numbered. There will remain the grim necessity of intensive prosecution of the Japanese war. With that nothing must interfere.

Yet military victories will be hollow, empty of meaning, if we fail in rebuilding a peacetime economy far stronger and more productive than we have had before. In a shattered world, our Nation's success or failure in post-war readjustment may well determine whether the world can achieve a stable peace and security. If we—with vast resources and undamaged industrial facilities—can provide full employment in the United States for all those willing and able to work, we can fulfill our economic commit-

ments in supplies and machinery to other nations for their reconstruction. We will then be able to carry out the responsibilities that lie in the proposals developed in international conferences at Hot Springs, Dumbarton Oaks, and Bretton Woods.

By magnificent cooperation of industry, labor, and farmers on the home front we have achieved unprecedentedly high levels of wartime production, income, and employment. National solvency itself demands the maintenance of those high levels of production, income, and employment in the reconversion period and into the peacetime economy. The Nation has demonstrated that we can do this for war. We can and must do it for peace. In achieving it, the aspirations of the people of this Nation and of the world will find their fulfillment.

These observations lead us to the following firm convictions:

1. That full employment can and will be attained here in the United States.

2. That it can be achieved under our system of competitive free enterprise. In the conversion period, bold ventures by all our citizens are necessary and the role of government must be positive. This does not call for any compromise with traditional American institutions and relations of government, labor, business, and agriculture.

3. That the full use of our resources of materials and manpower can produce a national income which, properly distributed, will bring about sound and stable business and industrial activity, higher real wages, better health, housing, and education for all.

4. That the veterans returning when war is finally at an end will then find a respected and secure place in the economic life of the Nation.

5. That this Nation can and will in that way help the needy in devastated lands abroad to alleviate their misery and enable them again to provide for themselves.

These convictions constitute our declaration of faith in the future of the Nation. It is our firm purpose to do our best toward translating that faith into accomplishment as the foundation stone of world peace. We believe and know that it can be done. To this end we pledge our best efforts toward the preparation of a broad program of public and private action at the earliest possible time.

It is therefore our sincere and earnest desire to serve Director Vinson and our country in every possible way within the powers of our official capacity and as representatives of the public.

With high regards, believe me,

Sincerely yours,

O. MAX GARDNER,  
Chairman.

THE WHITE HOUSE,  
Washington, April 6, 1945.

HON. O. MAX GARDNER,  
Chairman of the Advisory Board  
of the Office of War Mobilization  
and Reconversion,  
Washington, D. C.

DEAR MAX: I am deeply grateful to the Advisory Board of the Office of War Mobilization and Reconversion for its expression of

faith, both in our war effort and in the necessity that our certain victory mean at home a peacetime economy far more abundant and productive than we have ever had before. You know how completely I agree. I want you to know also how much I appreciate the agreement of such Americans as compose your board.

We have been fortunate in finding in Justice Byrnes and Judge Vinson public servants equal to our great tasks. They emphasize, as do the members of your board, that there has been no shrinkage in the stature and the spirit of the American. Indeed, I am sure that Americans who have done so much in the winning of the war have no doubt that we can give victory the rich meaning of full employment in the United States and of assistance to other nations in their reconstruction. Victory without the use for abundance of the powers we have developed in production for war would be, indeed, a hollow victory.

We must plan security and abundance together. Such a stronger American economy will be essential to carry out the responsibilities that lie in plans made at Bretton Woods, Hot Springs, and Dumbarton Oaks. Similarly, abundance at home depends upon organization for order and security in the world.

America is fortunate to have such a reaffirmation of the uninterrupted tradition of an advancing America enunciated by men who represent great organizations of labor, industry, and agriculture working together with others who represent the public. As such Americans chosen by the President and confirmed by the Senate, you have well stated the program by which we fight a victorious war and seek a meaningful peace.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,

Washington, April 21, 1945.

Hon. O. MAX GARDNER,

Chairman, Advisory Board,

Office of War Mobilization and  
Reconversion,

Washington, D. C.

DEAR GOVERNOR GARDNER: The letter which the President wrote to you in answer to your communication as Chairman of the Advisory Board of the Office of War Mobilization and Reconversion was the last statement officially issued by him with regard to his hopes and plans for reconversion. It was also, so far as our files disclose, the last statement of any sort which the President made on this subject.

I am happy, as I know your board is, that your communication gave the President the opportunity to make this final statement about the directions in which he hoped to see this Nation move in the great tasks at home which lie before us.

Sincerely,

JONATHAN DANIELS,  
Secretary to the President.

#### VICTORY IN EUROPE—LIBERATION OF NORWAY

Mr. WILEY. Mr. President, when the glad news came this morning I issued two brief releases which I ask to have printed in the RECORD. One release relates to the victory in Europe, and the other to the liberation of Norway.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin?

There being no objection, the releases were ordered to be printed in the RECORD, as follows:

#### SENATOR WILEY HAILS VE-DAY

Victory has come in Europe. The news sends a thrill to every American heart. It stirs the deepest of pride in every American

breast. The hour for which we and our allies have longed, for which we have sweated and sacrificed these long years, is now at hand.

We have completed the long hard road to victory in the old world. This road was paved on the western and eastern fronts with our blood and treasure and that of our allies. In the west, it began by the American invasion of north Africa. It continued through Sicily, Italy, Normandy, the Siegfried Line, the Rhine, the Ruhr, and now to the last fallen fortress of the foe.

I congratulate the American people. I salute the citizens of the 48 States, particularly those of our State of Wisconsin, whose contribution to victory I know best. I pay tribute to our fighting Badger sons and daughters. To our farmers for their magnificent food production. To our industrial management and labor for their mountains of weapons, vehicles, and supplies. To the thousands in the trades and professions who carried on in every community. And to our parents, wives, and sweethearts who have so patiently borne the anxiety, the strain of separation from their loved ones in the armed services. I pay this sincere tribute to them all, in this, their hour, our hour, of triumph.

Yet, now we pause in reverent respect for the past and the future.

We pause in devoted memory to those of our own who gave their lives, their health, that this day might come to pass. We contemplate with sadness the untold millions of civilians and combatants among the other United Nations who have perished in the European and African struggle. We pray for divine aid that may lessen the sacrifices still to be made in the Pacific. We pray, too, for divine guidance that will assure that all of these sacrifices have not been in vain.

VE-day has come. Now if we resume our posts and carry on with renewed energy and rededicated purpose, VJ (victory in Japan) day will not be far distant. And, too, if our hearts are pure, our minds clear, and vision far seeing, there shall come one day soon VP-day, a day of the victory of the peace, a just and enduring peace.

We have paved a highway to victory across Europe with blood and treasure. We are still paving the highway to victory in the Pacific with blood and treasure. We must, lastly, pave a highway to a righteous and workable peace with faith and realism. We must fulfill the word of old in the Book of Books: "And the highway shall be there, and a way, and it shall be called the Way of Holiness."

#### SENATOR WILEY'S STATEMENT ON NORWAY

Norway is free.

Norwegian men and women—yes, and even children—have never relented in their determined battle for the ideals which they and we know to be right.

No nation has more justly deserved the fruits of freedom than Norway. The Norwegian underground has been a guide to the resistance movements of other occupied countries, and God has guided the Norwegian underground. In the air over Europe, in the seas about Europe, and on European battlefields, Norwegian fighting men have helped to speed the common victory. Norway has earned her place of honor in the community of free nations.

Norway is free?

No; rather Norway remains free while the invaders have surrendered. Norway, the courageous, was temporarily occupied. But Norway never has been conquered.

#### THE PROBLEM OF ATTAINING WORLD PEACE

Mr. WILEY. Mr. President, the world is faced with the problem how to stop war from occurring a generation from now. To keep America out of war we will have to find the way to keep the world free from war. We have tried many ways.

We have tried treaties and pacts, and they have not done the job. We have tried disarmament, and it has not done the job. We have tried isolation, saying we will not fight, and that has not done the job. And just before we got into this war we tried embargoes, and that did not do the job. Then we lifted the embargo and that did not keep us out of war.

Now it is the problem of all humanity to find the way. We know that mere instrumentalities will not do the job. The finest mechanism that we can create at San Francisco will not by itself do the job. There must be back of it the will and the purpose and the desire of the contracting nations to fulfill the obligations of the pact, and we must find the way to see that that will and purpose shall obtain definitely and continuously in the years ahead.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House having proceeded to reconsider the joint resolution (H. J. Res. 106) to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort, returned by the President of the United States with his objection, to the House of Representatives, in which it originated, and it was resolved that the joint resolution do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

The message informed the Senate that Mr. FERNANDEZ had been appointed a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1307) for the relief of Continental Casualty Co., a corporation, and Montgomery City Lines, Inc., vice Mr. COMBS, resigned.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 694. A bill to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic; and

H. J. Res. 177. Joint resolution repealing a portion of the appropriation and contract authorization available to the Maritime Commission.

#### ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 906) granting a franking privilege to Anna Eleanor Roosevelt, and it was signed by the President pro tempore.

#### VE-DAY STATEMENT BY SENATOR O'DANIEL

Mr. O'DANIEL. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a VE-day statement which I have today released to the press and radio.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The prayers of millions of people throughout this world are being answered. One



phase of this most horrible of all wars is coming to an end.

We are profoundly thankful for this victory, but as the thunderous blasts of the mighty weapons of death and destruction fade into silence in Europe, let us not relax our vigilance and our efforts. The mighty task of finishing this war and rebuilding this shattered world, physically, economically, socially, and spiritually, will tax the brain and brawn of all peoples of all nations for many generations.

The peace-loving peoples of the whole world extend sympathy and condolence to the broken-hearted relatives of loved ones who made the supreme sacrifice in this fight for freedom. We also acknowledge our debt of gratitude to the returning heroes, many of whom are broken in body and health, and pledge to them the care and kindness which they so richly deserve. And to those who fight on to final victory and to the maintenance of world peace we renew our pledge of unstinted loyalty and all-out support to the last ounce of our ability and resources.

And, last but not least, if we are to keep faith with those who died, we come face to face with the supreme task of building a permanent world peace structure, so strong and secure, that no man or band of men can ever again plunge the peoples of this earth into war. To all those brave heroes who fought for the cause of freedom, and especially to those who made the supreme sacrifice, we who live owe that obligation, and in their memory, and with God's guidance, we must and we shall carry on until that goal is reached.

#### CONDOLENCES ON DEATH OF FRANKLIN D. ROOSEVELT

The PRESIDENT pro tempore laid before the Senate a letter from the Chief, Division of Protocol, Department of State, transmitting a telegram from the American Ambassador to Yugoslavia, expressing condolences of the Anti-Fascist Council of National Liberation of Yugoslavia on the death of the former President of the United States Franklin D. Roosevelt, which was ordered to lie on the table.

He also laid before the Senate resolutions adopted by the Democratic State Committee meeting in Dover, and the Jewish Federation of Delaware, Wilmington, both in the State of Delaware, expressing condolences on the death of the former President of the United States Franklin D. Roosevelt, which were ordered to lie on the table.

#### EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

##### BIRTHDAY OF SIMON BOLIVAR

A letter from the Acting Secretary of State, transmitting a resolution of the House of Representatives of the Republic of Cuba, inviting the Congress of the United States to send a delegation to participate in a birthday tribute to Simon Bolivar at Caracas, Venezuela, on July 24, 1945 (with accompanying papers); to the Committee on Foreign Relations.

##### PERSONNEL REQUIREMENTS

A letter from the Assistant to the Secretary of Commerce, transmitting, pursuant to law, a revised estimate of personnel requirements for the Office of the Secretary of Commerce, for the quarter

ending June 30, 1945 (with an accompanying paper); to the Committee on Civil Service.

#### DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on the Judiciary:

##### "Assembly Joint Resolution 36

"Joint resolution relative to making President Roosevelt's birthday, January 30, a legal holiday

"Whereas our beloved President, Franklin Delano Roosevelt, has been called by Providence to the Great Beyond; and

"Whereas his birthday, January 30, has long been a day devoted to a part of his many humanitarian efforts; and

"Whereas it is fitting and appropriate that January 30 should be declared a national holiday to be known as Roosevelt's Birthday in respect to the memory of Franklin Delano Roosevelt: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California (jointly). That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to declare January 30 a national holiday to be known as Roosevelt Birthday; and be it further

"Resolved, That the chief clerk of the assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

##### "Assembly Joint Resolution 35

"Joint resolution relative to income and resources of recipients of aid to the aged and of aid to the blind

"Whereas that provision of subdivision (a) of section 2 of title I of the Social Security Act which provides that 'a State plan for old-age assistance must \* \* \* provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming old-age assistance' and the similar provision of subdivision (a) of section 1002 of title X of the act, relating to aid to the blind, are construed to require that the occupancy value of a home owned and occupied by a recipient of such assistance must be regarded as income or a resource of the recipient, and deducted from the amount of assistance to which he would otherwise be entitled; and

"Whereas the amount of these deductions is a comparatively small sum, so that the

amount of public money withheld from recipients for this reason is lost to the States and the United States Government by the increased cost of administration resulting from investigation and accounting to establish the amount of the deductions; and

"Whereas consideration of the occupancy value of homes of recipients as income or resources discourages thrift leading to home ownership: Now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California (jointly). That the Congress and President of the United States are hereby urged and memorialized to enact such amendments to the Social Security Act as will insure that ownership and occupancy of a home will not be considered income or resources of recipients of old-age assistance or of aid to the blind; and be it further

"Resolved, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, and to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Military Affairs:

##### "Assembly Joint Resolution 31

"Joint resolution relative to memorializing the President and the Congress of the United States and the Federal Surplus Property Board to establish or designate a special agency to which municipalities and other public bodies may deal in the purchase of Federal surplus properties

"By the Federal Surplus Property Act of 1944 an agency known as the Surplus Property Board was created and provision was made for the disposition of surplus property belonging to the Federal Government and its agencies.

"This law directs the Board to designate one or more agencies to act as a disposal agency for surplus property and, so far as the Board deems feasible, that it shall centralize in one disposal agency responsibility for the disposal of all property of the same type or class.

"It has been shown by the experience of counties, municipalities, and other public agencies in attempting to purchase Federal surplus property that the interests both of the Federal Government and its agencies and of the local bodies would be best served by setting up a separate department or agency to deal with cities and other political subdivisions and agencies with regard to the disposition of such property, more particularly of the classes of property which are likely to be in demand for the needs of such local bodies. Under the present organization, the responsibility for the disposition of such property is divided among several agencies and the resulting confusion is harmful to the interests of both the Federal Government and local political subdivisions and agencies: Now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California, jointly. That the President and the Congress of the United States and the Surplus Property Board are hereby respectfully requested to designate or establish by change in the law or by administrative action a single Federal agency to deal exclusively with cities and other political subdivisions and agencies desirous of acquiring such property; and be it further

"Resolved, That the chief clerk of the assembly be and he is hereby directed to transmit copies of this resolution to the President and the Vice President of the United States, the Speaker of the House of Representatives, and the Senators, and Members of the House of Representatives from California."

A joint resolution of the General Assembly of the Commonwealth of Kentucky; to the Committee on Education and Labor:

**"Senate Joint Resolution 3**

"A joint resolution memorializing Congress to pass Senate bill 181 providing for equalization of educational opportunity

"Whereas Federal aid to education is vital to the maintenance of adequate educational opportunity throughout the war and a substantial aid to social and economic stabilization in the peace to come, and furthermore believing that the maintenance of the American system of private economy depends for its success upon the knowledge and skill and productivity of its individual citizens, that this makes it a responsibility of the Federal Government to assist in preparing its citizens in the performance of a national duty effectively: Now, therefore, be it

*"Resolved by the General Assembly of the Commonwealth of Kentucky:*

"1. That the General Assembly of the Commonwealth of Kentucky memorializes the Congress of the United States that it, at the earliest possible date, pass the Thomas-Hill bill (S. 181) to provide for an emergency aid to education, and for the equalization of educational opportunities among the several States.

"2. Copies of this resolution shall be sent to the President and Chief Clerk of the Senate of the United States, the United States Senators from Kentucky, the Speaker and Chief Clerk of the House of Representatives of the United States and the Representatives in Congress from Kentucky."

A resolution of the Senate of the State of Kentucky; to the Committee on Post Offices and Post Roads:

**"Senate Resolution 12**

"Whereas there is now pending in the Congress of the United States, H. R. 2071, which provides for an increase in the compensation of certain postal employees, and also provides for other beneficial employment features for said employees; and

"Whereas said employees have received no increase in compensation for 20 years, with the exception of a small war bonus; and

"Whereas the Post Office Department has long been recognized as one of the most efficient and reliable of the Federal agencies, and the employees thereof should be rewarded for their capable and faithful service: Therefore be it

*"Resolved by the senate,* That the Senators and Representatives from Kentucky in the Congress of the United States are hereby urged to support and vote for the passage of H. R. 2071; and be it further

*"Resolved,* That this memorial be sent to the Secretary of the Senate and the Clerk of the House of Representatives of the Congress of the United States."

A resolution of the Senate of the Commonwealth of Kentucky; ordered to lie on the table:

**"Senate Resolution 13**

"Resolution of respect and honor to the memory of our late President and Commander in Chief, Franklin D. Roosevelt

"Whereas our all-wise and infinite Creator has called from our midst and to his eternal reward our beloved and gallant leader, Franklin Delano Roosevelt, a man who, though physically handicapped, rose and stood preeminently as a commanding international figure, and who gave unstintingly of his time, talent, and brilliant ability to his own people and to the whole world, and who saw many of his plans executed, his ideals and ideologies incorporated into fundamentals, looking toward a better world of peace, friendship, and harmony among the people of the entire universe; and

"Whereas our illustrious commander fell on the firing line, only after the slender

thread of mortality was severed, at the crucial moment in world affairs, while facing the future confidently and unafraid. A man who was the peer of any man in the world, and whose discernment, viewpoints, and vision were international, yet whose heart was responsive to the welfare of the humblest citizen of our Nation: Now, therefore, be it

*"Resolved by the Senate of the Commonwealth of Kentucky in special session,* Mindful of our irreparable loss, in the passing of our illustrious citizen, our matchless commander and beloved President, we do hereby express our deep sorrow and poignant grief; and be it further

*"Resolved,* That this senate tenders to the family of the late President Roosevelt its deep and abiding sympathy in this time of their great bereavement; that we do hereby pledge ourselves to strive to carry on and bring to fruition the principles for which he lived, fought, and died, and to keep his memory as a sacred heritage, his ideals enshrined in our hearts and lives; and be it further

*"Resolved,* That a copy of this resolution be spread on the records of the proceedings of this body, and the clerk of this senate shall transmit a copy of this resolution to the family of the late President Franklin D. Roosevelt, and to the Clerks of the House and Senate of the Congress at Washington."

A resolution of the House of Representatives of the Commonwealth of Kentucky; ordered to lie on the table:

"Resolution of respect and honor to the memory of our late President and Commander in Chief, Franklin D. Roosevelt

"Whereas our all-wise and infinite Creator has called from our midst and to his eternal reward our beloved and gallant leader, Franklin Delano Roosevelt, a man who, though physically handicapped, rose and stood preeminently as a commanding international figure, and who gave unstintingly of his time, talent, and brilliant ability to his own people and to the whole world, and who saw many of his plans executed, his ideals and ideologies incorporated into fundamentals, looking toward a better world of peace, friendship, and harmony among the peoples of the entire universe; and

"Whereas our illustrious commander fell on the firing line, only after the slender thread of mortality was severed, at the crucial moment in world affairs, while facing the future confidently and unafraid. A man who was the peer of any man in the world, and whose discernment, viewpoints, and vision were international, yet whose heart was responsive to the welfare of the humblest citizen of our Nation: Now, therefore, be it

*"Resolved by the House of Representatives of the Commonwealth of Kentucky,* Mindful of our irreparable loss in the passing of our illustrious citizen, our matchless commander, and beloved President, we do hereby express our deep sorrow and poignant grief; and be it further

*"Resolved,* That this house tenders to the family of the late President Roosevelt its deep and abiding sympathy in this time of their great bereavement; that we do hereby pledge ourselves to strive to carry on and bring to fruition the principles for which he lived, fought, and died, and to keep his memory as a sacred heritage, his ideals enshrined in our hearts and lives; and be it further

*"Resolved,* That a copy of this resolution be spread upon the journal of this house and the clerk of this house shall transmit a copy of this resolution to the family of the late President Franklin Delano Roosevelt, to the Clerks of the House and Senate of Congress at Washington, and to the press in Kentucky.

"This resolution was unanimously adopted by the house of representatives on April 30, 1945."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Commerce:

*"Be it resolved by the House of Representatives of the Legislature of the Territory of Hawaii (the Senate concurring),* That the Congress of the United States of America be and it is hereby respectfully requested to appropriate a sufficient amount of Federal funds to complete the following improvements in and to the harbor and port of Hilo, in the county and Territory of Hawaii, namely:

"1. To complete the dredging of Hilo Harbor and to deposit the dredged material, or so much thereof as may be necessary, behind a sea wall to be constructed parallel with the present shore line from the mouth of the Waialuku River to the mouth of the Waioa River.

"2. To construct a breakwater from the Wainaku side of Hilo Harbor of such length and in such direction as will protect the shipping in the harbor during certain prevalent winds and currents; and be it further

*"Resolved,* That copies of this resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress, to the Secretary of War, and to our Delegate to Congress from Hawaii."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Military Affairs:

"Whereas the adjutant general of the National Guard of the several States are appointed by the respective Governors of said States; and

"Whereas by Federal law the adjutant general of the National Guard of the Territory of Hawaii is appointed by the President of the United States; and

"Whereas the adjutant general of the National Guard of the Territory of Hawaii is a territorial officer and it is suitable and desirable that he be appointed by the Governor of the Territory of Hawaii: Now, therefore, be it

*"Resolved by the Senate of the twenty-third session of the Legislature of the Territory of Hawaii (the House of Representatives concurring),* That the Congress of the United States of America be and it hereby is respectfully requested and urged to amend the act of Congress approved June 3, 1916, entitled 'An act for making further and more effectual provision of the national defense, and for other purposes' (June 3, 1916, c. 134, 39 Stat. 166), by amending section 66 thereof so that said section shall provide that the adjutant general of the National Guard of the Territory of Hawaii shall be appointed by the Governor of the Territory of Hawaii."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Naval Affairs:

"Whereas the people of Hawaii have down through the ages shown their aptitude for seafare; and

"Whereas it is inevitable that the United States Navy will be maintained at a greater strength than before the present global war; and

"Whereas Hawaii offers exceptional opportunities for recruiting men for the United States Navy: Now, therefore be it

*"Resolved by the House of Representatives of the Twenty-third Legislature of the Territory of Hawaii (the Senate concurring),* That the Congress of the United States of America be and it hereby is, requested to pass legislation to assure the maintenance in the Territory of Hawaii of a recruiting station for personnel for the United States Navy; and be it further

*"Resolved,* That copies of these resolutions be forwarded to the President of the United



States of America, the President of the Senate of the United States of America, the Speaker of the House of Representatives of the United States of America and Hawaii's Delegate to said House of Representatives."

A resolution adopted by the New York City (N. Y.) Colony of the National Society New England Women, commending the public expression of the President of the United States with respect to future cooperation between the executive and legislative branches of the Government; ordered to lie on the table.

A resolution adopted by the city council of the city of Cambridge, Mass., favoring the enactment of House bill 3035, providing for an increase in the compensation of postal employees; to the Committee on Post Offices and Post Roads.

A resolution adopted by the Central Labor Council of Honolulu, T. H., favoring the enactment of legislation making it unlawful for any citizen, group of citizens, corporation, company, or anyone doing business in the United States to sell, lease, license, rent or in any way furnish anything which can be construed as a sinew for making war to any nation; to the Committee on the Judiciary.

A letter in the nature of a petition from Julius Hochfelder, major, Education Section, of the Army of the United States, retired, praying for the enactment of legislation for the creation of a school for the training of men and women for legislative posts similar to the institutions for officers of the Army and Navy as maintained at Annapolis, West Point, and the Consular and Diplomatic Services, in honor of Franklin D. Roosevelt (with an accompanying paper); to the Committee on Education and Labor.

By Mr. CAPPER:

A petition of sundry citizens of Hutchinson, Kans., praying for the enactment of the bill (S. 599) to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, and for other purposes; to the Committee on Interstate Commerce.

#### PARTICIPATION OF THE UNITED STATES IN A WORLD ORGANIZATION OF NATIONS

Mr. AUSTIN. Mr. President, in my home city of Burlington a public meeting, called a town meeting, was held on the 30th day of April, at which a resolution endorsing the active participation of the United States in a world organization of nations for the promotion and maintenance of security and peace, as formulated in the Dumbarton Oaks Agreement, was adopted. In the proceedings there was a discussion of an hour and a half preceding the vote, the vote was counted, a standing vote, in which 691 citizens voted "yes," no one voted "no," 6 did not vote, and a small number left the hall before voting began. I ask permission to present the resolution and that it be printed in the RECORD and appropriately referred.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Resolution relating to active participation of the United States in a world organization of nations for the promotion and maintenance of security and peace

*Resolved*, That we, the citizens of Burlington, Vt., in meeting assembled, do hereby endorse the active participation of the United States in a world organization of nations for the promotion and maintenance of security

and peace, as formulated in the preamble of the Dumbarton Oaks Agreement; and further

*Resolved*, That the city clerk is hereby requested to forward copies of this resolution to the Members of the congressional delegation from Vermont and to the Secretary of State as representative of the United States at the San Francisco Conference.

#### STATE OF VERMONT, County of Chittenden, ss:

I, W. T. Abell, clerk of the city of Burlington, in said county and State, do hereby certify the foregoing resolution was adopted at a public meeting, called a "town meeting," of the citizens of Burlington, Vt., held April 30, 1945, at 8 o'clock in the evening.

Voting on adoption of the resolution, which followed 1½ hours of discussion, was by standing vote in which 691 citizens voted "yes," no one voted "no," 6 did not vote, and a small number left the hall before voting began.

Dated at Burlington, Vt., this 3d day of May, A. D. 1945.

Attest:

W. T. ABELL,  
City Clerk.

[SEAL]

#### MISSOURI VALLEY AUTHORITY

Mr. CAPPER. Mr. President, I ask unanimous consent to present for printing in the RECORD and appropriate reference a telegram I have received from H. J. Yount, secretary and treasurer of the Kansas State Industrial Union Council, Kansas City, Kans., favoring in principle a Missouri Valley Authority, as embodied in the Murray-Cochran bills now before the Congress.

There being no objection, the telegram was received, referred to the Committee on Irrigation and Reclamation and ordered to be printed in the RECORD, as follows:

KANSAS CITY, KANS., April 16, 1945.

Senator ARTHUR CAPPER,  
Senate Office Building,  
Washington, D. C.:

The Kansas State Industrial Union Council believes the principle of a Missouri Valley Authority as embodied in the Murray-Cochran bills now before Congress will benefit all people in the State of Kansas. Only through the enactment of this legislation will there be unified development of the Missouri River and its basin, with balanced attention to flood-control irrigation and reclamation, the promotion of family type farming, navigation, power development, wildlife, and recreational potentialities, and the encouragement of industry. In addition to these benefits enactment of M. V. A. means jobs and security for thousands of Missouri Valley people in the critical post-war years.

KANSAS STATE INDUSTRIAL  
UNION COUNCIL,

H. J. YOUNT,  
Secretary and Treasurer,  
Kansas City, Kans.

#### PRICE CONTROLS AND PROFITS

Mr. REED. Mr. President, I ask unanimous consent to present and to have printed in the RECORD and appropriately referred, a resolution adopted by the Board of Directors of the Kansas Farm Bureau at Manhattan, Kans., on April 19, and sent to each member of the Kansas delegation in Congress.

There being no objection, the resolution was received, referred to the Committee on Banking and Currency, and

ordered to be printed in the RECORD, as follows:

MANHATTAN, KANS., April 19, 1945.

*Resolved*, That while recognizing the need of price controls to avoid inflation, it is our belief that such controls should be rescinded as soon after the termination of the war as possible; and in no event should Congress extend such controls for a period of more than 1 year at a time. Also a continuation of the provision that O. P. A. regulations shall not be used to limit profits.

KANSAS FARM BUREAU,  
JULIA KING SMITH,  
Secretary-Treasurer.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. OVERTON, from the Committee on Commerce:

H. R. 1184. A bill to authorize Slater Branch Bridge and Road Club to construct, maintain, and operate a free suspension bridge across the Tug Fork of the Big Sandy River at or near Williamson, W. Va.; without amendment (Rept. No. 247); and

H. R. 1652. A bill granting the consent of Congress to the State of Louisiana to construct, maintain, and operate a free highway bridge across the Mississippi River at or near New Orleans, La.; without amendment (Rept. No. 248).

By Mr. EASTLAND, from the Committee on Claims:

S. 693. A bill for the relief of the Saunders Memorial Hospital; without amendment (Rept. No. 249).

#### EMERGENCY FLOOD RELIEF

Mr. OVERTON. Mr. President, from the Committee on Commerce I ask unanimous consent to report favorably without amendment the bill (S. 938) in reference to the emergency to provide for emergency flood-control work made necessary by recent floods, and for other purposes, and I submit a report (No. 245) thereon.

The bill has reference to the emergency flood-control relief and the report unanimously recommends the enactment of the bill.

Mr. President, this is an emergency measure, and I trust that I may be recognized tomorrow in order to bring the bill up for consideration and passage. I think it can be disposed of within a comparatively very short time. I hope there will be no opposition to it; there was none in the Senate Committee on Commerce. The bill follows the beaten path laid down in 1943 and 1944 relating to similar situations.

The PRESIDENT pro tempore. Without objection, the report will be received and the bill placed on the calendar.

Mr. OVERTON subsequently said: Mr. President, I do not know at the moment whether the Senate will take a recess or will adjourn until tomorrow or some other day; but I desire to give notice, as I stated a while ago, that I wish to be recognized in order to request that the Senate take up the emergency flood-relief bill the next day the Senate convenes.

#### MISSOURI VALLEY AUTHORITY—REPORT OF COMMITTEE ON COMMERCE

Mr. OVERTON. Mr. President, from the Committee on Commerce I ask unanimous consent to report with amendments the bill (S. 555) to establish a Missouri

Valley Authority to provide for unified water control and resource development on the Missouri River and surrounding region in the interest of the control and prevention of floods, the promotion of navigation and reclamation of the public lands, the promotion of family-type farming, the development of the recreational possibilities and the promotion of the general welfare of the area, the strengthening of the national defense, and for other purposes, and I submit a report (No. 246) thereon.

It may be stated that this bill was referred to the Senate Committee on Commerce in order to consider the bill from the standpoint of navigation and flood control. The Commerce Committee did so; it considered the navigation and flood-control provisions and the provisions allied to navigation and flood control. It has recommended that all these provisions be stricken from the bill.

Then, Mr. President, the Committee on Commerce reports unfavorably on the bill as a whole. It has done so because it is rather difficult to segregate navigation and flood control from other projects in the valley. There is an intimate relationship between irrigation and flood control and between reclamation and flood control as well as navigation. The witnesses appearing both for the bill and against the bill, including the very able distinguished author of the bill, the junior Senator from Montana [Mr. MURRAY], apparently took that view, because they presented their arguments for and against the bill in its entirety. The report is a unanimous one.

The PRESIDENT pro tempore. As the Chair is advised under a resolution of the Senate heretofore agreed to, the bill and report submitted by the Senator from Louisiana will have to go to the Committee on Irrigation and Reclamation.

Mr. OVERTON. That is correct.

The PRESIDENT pro tempore. The bill and report will be so referred.

Mr. JOHNSON of Colorado. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Colorado?

Mr. OVERTON. I yield.

Mr. JOHNSON of Colorado. I am very much interested in the report the Senator has just made on the so-called Missouri Valley Authority bill. The Senator will recall that during the time his committee was considering it, I had the honor and distinction and pleasure of presenting an amendment to the bill, and I should like to know whether my amendment has gone along with the original bill, or has he transmitted it to another committee?

Mr. OVERTON. It has fallen with the bill, so far as the Senate Committee on Commerce is concerned, but the amendment is still there, and, of course, can be considered by the Committee on Irrigation and Reclamation.

Mr. JOHNSON of Colorado. Is the amendment still with the Senator's committee?

Mr. OVERTON. No; it is not in my committee. The Senate Committee on Commerce did not act on it, for the

reason which appeared during the testimony of the able Senator from Colorado. His amendment was to segregate the Upper Missouri Basin from any direction or control of the proposed Missouri Valley Authority. When asked about the lower basin, he said he had no amendment with reference to the lower basin, but left it just as provided in the bill. Then it was suggested to him that probably he would agree with us and join us in killing the entire bill, and the Senator from Colorado said that that would be satisfactory to him; and we carried out his wishes, at least to that extent.

Mr. JOHNSON of Colorado. Yes, but as I understand, the bill has not been killed; it has not been tabled; it has not been put in cold storage in the Committee on Commerce, but has been transmitted to the Committee on Irrigation and Reclamation, and my question is, did my amendment go along with the bill to the Committee on Irrigation and Reclamation?

Mr. OVERTON. I think the Senator raises a parliamentary question. His amendment to the bill is here. It is to be considered as it was considered by the Senate Committee on Commerce. The Committee on Commerce reported unfavorably on the entire bill. The Senator's amendment, ex necessitate rei, follows the bill in its progress through the different committees to which it may be referred. His amendment would go to the Committee on Irrigation and Reclamation, to be there considered.

Mr. JOHNSON of Colorado. If my amendment is going forward with the bill, that is all I ask.

Mr. OVERTON. That is my understanding of the parliamentary situation.

Mr. JOHNSON of Colorado. I thank the Senator for that assurance.

Mr. BANKHEAD. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. BANKHEAD. As chairman of the Committee on Irrigation and Reclamation, I should like to obtain some information.

Mr. OVERTON. I shall be very glad to give the Senator whatever information I can furnish him.

Mr. BANKHEAD. This is, of course, a very unusual situation, under which one bill is automatically ordered to three committees, regardless, I take it, of what action the first committee, the Committee on Commerce, may have taken, or what action the Senate Committee on Irrigation and Reclamation may take. I assume that if both adversely reported the bill, as the Committee on Commerce has already done, then it still would be required to go to the Committee on Agriculture and Forestry.

Mr. OVERTON. The Senator from Alabama is correct.

Mr. BANKHEAD. That is a rather unusual situation. I do not see much advantage in the bill going to the Committee on Irrigation and Reclamation if its action will not have any effect on the final result. If ultimately the decision will rest with the Committee on Agriculture and Forestry as to whether the bill will come back to the Senate with a favorable or unfavorable report, then it seems to me the time of the Committee

on Commerce has been taken up unnecessarily, and the same would apply to the Committee on Irrigation and Reclamation.

Mr. OVERTON. I do not know that I entirely agree with the able Senator from Alabama. The bill was referred to the Committee on Commerce to pass upon the navigation and flood-control features. The first thing the Committee on Commerce did was to recommend that there be stricken from the bill all provisions relating to navigation and flood control. Having done that, when the bill goes to the Committee on Irrigation and Reclamation, I take it that that committee, as a committee, will have no jurisdiction over the question of navigation and flood control.

Mr. BANKHEAD. That is one point about which I wanted information. The Committee on Commerce has, after hearings, stricken that provision from the bill.

Mr. OVERTON. It has recommended that every provision relating to flood control and navigation be stricken from the bill.

Mr. BANKHEAD. That leaves nothing, I understand, for the Committee on Irrigation and Reclamation to consider or to act on—

Mr. OVERTON. We left the irrigation provisions intact.

Mr. BANKHEAD. It leaves nothing on the subject of flood control to the Committee on Irrigation and Reclamation?

Mr. OVERTON. That is correct.

Mr. BANKHEAD. Then, suppose the Committee on Irrigation and Reclamation took the same action so far as irrigation and reclamation was concerned; what would then go to the Committee on Agriculture and Forestry, of which I am also a member?

Mr. OVERTON. The Committee on Irrigation and Reclamation would, if it followed the course pursued by the Committee on Commerce, recommend that there be stricken from the bill all provisions relating to irrigation and reclamation.

Mr. BANKHEAD. Are there provisions in the bill relating to agriculture and forestry?

Mr. OVERTON. There would be very little left for the Committee on Agriculture and Forestry to pass on after the bill had been adversely reported by the Committee on Irrigation and Reclamation, if it should be adversely reported on.

Mr. BANKHEAD. It is my understanding—and I will ask the Senator to confirm this if it is accurate—that the action of the Committee on Commerce in striking out all features of the bill relating to navigation and flood control was unanimous, and that the action of the committee in adversely reporting the rest of the bill was also unanimous.

Mr. OVERTON. The Senator's understanding is correct.

Mr. BANKHEAD. After flood control and navigation matters had been stricken out, then the committee proceeded to make an adverse report. What consideration should the Committee on Irrigation and Reclamation, and ultimately the Committee on Agriculture and For-



estry, give to that adverse action on the bill as a whole by the very able Committee on Commerce?

Mr. OVERTON. I think that is a matter which would address itself to the sound discretion of the Committee on Irrigation and Reclamation. The Committee on Irrigation and Reclamation can follow the precedent established by the Senate Committee on Commerce and make an adverse report on the bill as a whole, as well as making a report on the irrigation and reclamation provisions of the bill. Then it will go to the Committee on Agriculture and Forestry, and that committee will consider the bill from the standpoint of agriculture.

Mr. BANKHEAD. How much time was given by the Senator's committee to the consideration of the phases of the bill which the committee considered?

Mr. OVERTON. We divided equally the time between the proponents and the opponents, and everyone who desired to be heard was heard. There were a few statements of witnesses which were filed without being read to the committee in full.

Mr. BANKHEAD. How many days did the committee consume in the investigation?

Mr. OVERTON. Two weeks, and continuing sessions, morning and afternoon, with the exception, I think, of one afternoon, when no witnesses were present.

Mr. BANKHEAD. When will the hearings be available for our committee?

Mr. OVERTON. They are already printed and are available. I may say to the Senator from Alabama that the Committee on Commerce went very fully into all phases of the bill.

Mr. BANKHEAD. That is what I was about to ask the able Senator—whether the committee went into irrigation and reclamation.

Mr. OVERTON. It did, and I will tell the Senator why. The first witness was the very able and distinguished author of the bill, the Senator from Montana [Mr. MURRAY]. He went into all aspects of the bill and into its provisions, and presented it as a whole, as well as from the standpoint of navigation and flood control. Then succeeding witnesses whom the proponents presented also went fully into the bill. When the opponents presented their side they also went fully into the provisions of the bill. I think the Senator from Alabama will find that it is very difficult to separate irrigation and reclamation from flood control and navigation. As the Senator well knows, every irrigation reservoir has flood-control factors connected with it, and all phases of the bill are so entwined that it is difficult to consider irrigation and reclamation separately from the other features of the bill.

Mr. BANKHEAD. The situation of the bill is something like that of one who, in legal parlance, is subject to double jeopardy.

Mr. OVERTON. The order of the Senate was carried out. I had no control over the situation. I simply followed the direction of the Senate.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. JOHNSON of Colorado. I wish to urge the able Chairman of the Committee on Irrigation and Reclamation to hold hearings on this bill. The bill vitally affects irrigation in the West. We have considerable testimony which we wish to submit to the Committee on Irrigation and Reclamation. When I say "we" I refer to that section of the West under irrigation which is affected by the provisions of the bill. I should like to have the opportunity to present testimony before the committee, and I hope such opportunity may be afforded.

Mr. BANKHEAD. I can assure the Senator from Colorado that the Committee on Irrigation and Reclamation will proceed in an orderly way.

Mr. JOHNSON of Colorado. That is all I ask.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MURRAY. The discussion which has been taking place during the past few moments indicates the great difficulty which results from having a bill such as this sent to three separate committees. When the subject came up for consideration on the floor of the Senate in connection with the flood-control measure, I pointed out the difficulty which would arise and I did so again later when the bill itself was introduced. The subject was also gone into at great length on the floor of the Senate in 1937. But the Chairman of the Commerce Committee had filed a motion in the Senate that the bill be sent to the three separate committees. My understanding is, and I think the Record will bear me out, that the separate committees may consider the bill with respect to the particular matters over which they have jurisdiction, and that the findings of one committee are not binding upon the other committees. I do not understand that the Commerce Committee has any power to take action on the bill which will be binding upon committees which will subsequently consider the bill.

Mr. OVERTON. If the Senator will permit an interruption, I may say that the findings of the Commerce Committee will be binding only as they relate to flood control and navigation. I do not think the Committee on Irrigation and Reclamation has any jurisdiction over those subjects. But our recommendations respecting the entire bill are not binding on any other committee.

Mr. MURRAY. I do not understand either that the Commerce Committee's recommendations with reference to flood control and navigation are binding, except as being advisory to the Senate, and when the bill is finally considered by the three separate committees and comes to the floor, then it is for the Senate to determine the entire matter.

Mr. OVERTON. Oh, unquestionably so.

Mr. MURRAY. So that none of the findings as they are made separately by the three committees will be binding until the Senate acts upon them.

Mr. OVERTON. The findings will certainly be like all committee reports. They are in the nature of recommendations.

Mr. MURRAY. Yes. I can see how very much better it would have been had

we followed the practice of the Senate which has been in vogue for the past quarter of a century, that is, to have the bill considered by one single committee, which committee, according to the precedents of the Senate, was the Committee on Agriculture and Forestry. It seems to me that would have been the correct procedure; but inasmuch as the Senate has adopted this practice, I want it to be made clear that the findings of the separate committees are not in any manner binding, but are merely advisory, and that the whole matter will be taken up when the bill comes to the floor of the Senate.

Mr. OVERTON. Certainly the recommendations of any committee of the Senate are merely advisory to the Senate. They are not binding on the Senate as a whole. The Senate can vote the proposed amendments up or down as it desires. I do not think there is any question at all about that.

In view of the argument just made by the Senator from Montana, and without any further discussion as to which committee should have been vested with jurisdiction over the whole subject matter, and also in view of the fact that one committee now has considered the bill in its entirety, and particularly in order to escape such criticism as that which the Senator from Montana makes of other committees considering the bill, which has been thoroughly considered by one committee, I wonder whether the Senator is proposing to suggest that all further hearings on the bill now terminate and that the bill come before the Senate for action.

The PRESIDENT pro tempore. The Chair asks that Senators suspend debate for a moment, so that Senate Resolution 97, submitted by the Senator from North Carolina [Mr. BAILEY] on March 12, 1945, which was agreed to on March 12, may be read by the clerk. The Chair asks Senators who are interested to take notice of the resolution, because the Chair is bound by it. The clerk will read.

The Chief Clerk read Senate Resolution 97, as follows:

*Resolved*, That said bill, to wit, S. 555, shall be considered forthwith by the Committee on Commerce with respect to navigation and flood control, and thereafter returned to the Senate for reference to the Committee on Irrigation and Reclamation, to be considered by said committee with respect to irrigation and reclamation, and thereafter shall be returned to the Senate for reference to the Committee on Agriculture for consideration with respect to the agricultural features thereof; be it further

*Resolved*, That said bill shall be reported on respectively by each of said committees within 60 days from the date of its reference to each of said committees and that the first 60-day period shall be calculated from the date of the passage of this resolution.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield to the Senator from Montana.

Mr. MURRAY. In answer to the inquiry made by the distinguished Senator from Louisiana with reference to my position respecting the report submitted today by the Commerce Committee, I wish to say it is my idea that the procedure outlined in the resolution

which has just been read will have to be followed. The Senate took action by that resolution, and under the resolution the bill will now go to the Committee on Irrigation and Reclamation, and after action by that committee the bill will go to the Committee on Agriculture and Forestry.

Mr. OVERTON. Of course that statement is absolutely correct, although by unanimous consent or by vote of the Senate, the resolution could be changed. I did not know exactly what the Senator from Montana had in mind in making the argument he made that a bill of this character ought to be considered only by one committee.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. LANGER. I should like to ask the chairman of the Committee on Irrigation and Reclamation, Mr. President, whether we may have a week's notice before hearings are set on the bill before his committee.

Mr. BANKHEAD. I cannot assure the Senator that the committee can give him a week's notice of hearings, because

we are required within 60 days to make a report. Then there is another committee, the Committee on Agriculture and Forestry, which must make a report on the bill. I do not know of any reason why I should give a week's notice before beginning hearings.

Mr. LANGER. I should like to have a week's notice, for I wish to bring witnesses from North Dakota to the hearings. Therefore I should like to have a week's notice of the hearings.

Mr. BANKHEAD. I can assure the Senator that he will have sufficient notice so he can bring his witnesses here before the hearings are closed.

Mr. OVERTON. Mr. President, I think the 60-day period under the resolution begins, so far as the Committee on Irrigation and Reclamation is concerned, on May 15. The Commerce Committee is a few days ahead of the time limit in which to submit its report.

#### INVESTIGATION OF ECONOMIC AND OTHER CONDITIONS IN THE PHILIPPINE ISLANDS

Mr. TYDINGS. Mr. President, from the Committee on Territories and In-

sular Affairs, I ask unanimous consent to report favorably without amendment the resolution (S. Res. 123) to investigate economic and other conditions in the Philippine Islands, and that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate for further study.

The PRESIDENT pro tempore. Without objection, the report will be received and the resolution referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

#### PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of April 1945 from the acting chairman and chairmen of certain committees in response to Senate Resolution 319 (78th Cong.) relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

#### COMMITTEE ON APPROPRIATIONS

MAY 7, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of April 1945, in compliance with the terms

of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
John F. Feeney.....	1425 Rhode Island Ave. NW.....	General Accounting Office, Washington, D. C.....	\$6,400
Harold E. Merrick.....	906 Aspen St. NW.....	do.....	4,800
Thomas J. Scott.....	1210 34th St. SE.....	Federal Bureau of Investigation, Department of Justice, Washington, D. C.....	4,800
Mrs. Mamie L. Mizen.....	1434 Saratoga Ave.....	District of Columbia Government.....	3,500

KENNETH McKELLAR, Acting Chairman.

#### COMMITTEE ON INTERSTATE COMMERCE

MAY 1, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

name of person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of April 1945, in compliance with the terms

of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Mrs. Alma B. Kidwell.....	113 Park Blvd. SE., Washington, D. C.....	Federal Communications Commission, Washington, D. C.....	\$1,800.00

B. K. WHEELER, Chairman.

UNITED STATES SENATE,  
COMMITTEE ON BANKING AND CURRENCY,  
May 1, 1945.

HON. KENNETH McKELLAR,  
President pro tempore of the Senate,  
Senate Office Building,  
Washington, D. C.

DEAR MR. PRESIDENT: Pursuant to Senate

#### COMMITTEE ON BANKING AND CURRENCY

Resolution 319, I am transmitting herewith a list of employees of the Senate Banking and Currency Committee who are not full time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of the department paying the salary of such employee,

and the annual rate of compensation for each such employee.

Respectfully yours,

ROBERT F. WAGNER,  
Chairman, Banking and Currency Committee.

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lucile Bryant.....	1016 16th St. NW., Washington, D. C.....	Reconstruction Finance Corporation.....	\$2,100
Marion E. Dishaw.....	1738 M St. NW., Washington, D. C.....	Treasury Department.....	1,800
Betti C. Goldwasser.....	305 East George Mason Rd, Falls Church, Va.....	War Production Board.....	4,600



## SUBCOMMITTEE ON WAR CONTRACTS

UNITED STATES SENATE,  
COMMITTEE ON MILITARY AFFAIRS,  
April 30, 1945.

HON. KENNETH MCKELLAR,  
President, United States Senate,  
Washington, D. C.  
DEAR MR. PRESIDENT: Pursuant to Senate

Resolution 319, I am transmitting herewith a list of employees of the War Contracts Subcommittee of the Senate Committee on Military Affairs who are not full-time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of the department

paying the salary of such employee, and the annual rate of compensation for each such employee.

Respectfully yours,  
JOSEPH C. O'MAHONEY,  
Chairman, War Contracts Subcommittee.

Name of individual.	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Kurt Borchardt.....	6007 34th PI NW., Washington, D. C.....	Smaller War Plants Corporation, Washington, D. C.....	\$5,600
Ward Bowman.....	Wilton Woods, Alexandria, Va.....	Justice Department, Washington, D. C.....	6,500
Ann Cheatham.....	4000 South Capitol St. SE., Washington, D. C.....	Smaller War Plants Corporation, Washington, D. C.....	2,000
Bertram M. Gross.....	613 South Quincy St., Arlington, Va.....	Navy Department, Washington, D. C.....	8,000
Hilda Hamilton.....	705 18th St. NW., Washington, D. C.....	Reconstruction Finance Corporation, Washington, D. C.....	2,200
Doris Phippen.....	40 Plattsburgh Court NW., Washington, D. C.....	Navy Department, Washington, D. C.....	2,300

# BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MCKELLAR:

S. 961. A bill to amend the Emergency Price Control Act of 1942 to provide that a fair and equitable margin be allowed for processing agricultural commodities in fixing maximum prices; to the Committee on Banking and Currency.

By Mr. RUSSELL (for himself and Mr. ELLENDER):

S. 962. A bill to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. KILGORE:

S. 963. A bill authorizing the coinage of special 10-cent pieces in honor of Franklin Delano Roosevelt; to the Committee on Banking and Currency.

By Mr. MITCHELL:

S. 964. A bill to authorize the acquisition and operation of the Ovington Estate property in Olympic National Park, in the State of Washington, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. TYDINGS (by request):

S. 965. A bill to amend the Alaska Game Law; to the Committee on Territories and Insular Affairs.

By Mr. ELLENDER (by request):

S. 966. A bill for the relief of G. F. Allen, Chief Disbursing Officer, Treasury Department, and for other purposes; to the Committee on Claims.

By Mr. JOHNSON of Colorado:

S. 967. A bill to authorize an increase in the pay of the chaplain at the United States Military Academy while serving under reappointment for an additional term or terms; to the Committee on Military Affairs.

S. 968. A bill to authorize the Administrator of Veterans' Affairs to employ on part time clerks, stenographers, typists and machine operators holding positions in other Federal departments and agencies, and for other purposes; to the Committee on Civil Service.

S. 969. A bill to amend certain provisions of the National Service Life Insurance Act of 1940, as amended;

S. 970. A bill to extend 5-year level premium term policies for an additional 3 years;

S. 971. A bill to amend section 100 of Public Law Numbered 346, Seventy-eighth Congress, June 22, 1944, to grant certain priorities to the Veterans' Administration, to facilitate the employment of personnel by the Veterans' Administration, and for other purposes;

S. 972. A bill to authorize the Administrator of Veterans' Affairs to accept gifts, de-

vises and bequests in behalf of the General Post Fund for the use of veterans and for the sale and conveyance of any such property under certain circumstances and the covering of the proceeds thereof into the Post Fund, and for other purposes; and

S. 973. A bill to liberalize and clarify the laws pertaining to hospital treatment, medical care, domiciliary care and related services, and for other purposes; to the Committee on Finance.

(Mr. JOHNSON of Colorado also introduced Senate bill 974, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. BALL:

S. 975. A bill for the relief of Mike Chetkovich; and

S. 976. A bill for the relief of Mildred E. Waldron; to the Committee on Claims.

(Mr. MORSE (for himself and Mr. CORDON) introduced Senate bill 977, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. WHEELER:

S. J. Res. 63. Joint resolution to amend the Act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807); to the Committee on Indian Affairs.

By Mr. KILGORE:

S. J. Res. 64. Joint resolution to provide for collecting and publishing the writings of Thomas Jefferson, Abraham Lincoln, Woodrow Wilson, and Franklin D. Roosevelt; to the Committee on the Library.

## VOCATIONAL REHABILITATION AND EDUCATION OF VETERANS

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to amend parts VII and VIII of Veterans Regulation Numbered 1 (a), as amended, to liberalize and clarify vocational rehabilitation and education and training laws administered by the Veterans' Administration, and for other purposes. I request that an analysis of the provisions of the proposed bill be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred and the analysis of the bill printed in the RECORD.

The bill (S. 974) to amend parts VII and VIII of Veterans Regulation Numbered 1 (a), as amended, to liberalize and clarify vocational rehabilitation and education and training laws administered by the Veterans' Administration, and for

other purposes, introduced by Mr. JOHNSON of Colorado, was read twice by its title and referred to the Committee on Finance.

The analysis of the provisions of the bill presented by Mr. JOHNSON of Colorado is as follows:

Sufficient time has elapsed since the enactment of Public Law No. 16, Seventy-eighth Congress, approved March 24, 1943, and title II of Public Law No. 346, Seventy-eighth Congress, approved June 22, 1944, which authorized vocational rehabilitation and education and training benefits for veterans of World War No. 2 who meet certain requirements of these acts to indicate that the administration of these benefits will be more equitable and greatly simplified if certain legislative changes are made. These changes have been incorporated in this draft of a bill and are as follows:

Section 1, if enacted, would permit the Administrator, in proper cases, to approve vocational rehabilitation training courses in excess of 4 years and also amends paragraph 1 of part VII of Veterans Regulation No. 1 (a), as amended, to extend the ultimate limit of training to 7 years after termination of the present war, instead of 6 years required by existing law. This will make the ultimate limitation for vocational rehabilitation under part VII the same period as is now provided for education or training under part VIII (par. 1, pt. VIII, Veterans Regulation No. 1 (a), as amended).

Existing law requires that books, supplies, or equipment furnished a trainee or student shall be released to him unless he fails because of fault on his part to complete the course of training. He may be required in such case, in the discretion of the Administrator, to return such books, supplies, or equipment. Experience has shown that there is no practical outlet for the disposition of such books, supplies, or equipment. Some educational institutions, however, are offering to accept the return of books, supplies, and equipment at a discount and to credit their accounts with the Veterans' Administration accordingly. Under existing law, this cannot be done. If the Veterans' Administration were enabled to dispose of returned property in this matter, administrative procedure would be simplified and a saving would be accomplished. Section 2 of the bill is proposed to accomplish this purpose and will, if enacted into law, permit the Administrator to turn in returned books, supplies, or equipment to educational or training institutions for credit upon such terms as may be approved by the Administrator, or that they may be disposed of in such manner as may be approved by the Administrator.

Section 3 of the bill increases the rates payable to those veterans found eligible for vocational rehabilitation. The rates stated in the bill include an increase in the basic rate and also the 15-percent increase authorized by Public Law No. 312, Seventy-eighth Congress, May 27, 1944. This section would also remove a provision which has caused dissatisfaction among employers extending training on the job.

Paragraph 3 of part VII of Veterans Regulation No. 1 (a), as amended, now requires that the employer must submit monthly a statement under oath showing any payments paid by him to the vocational trainee. Section 3 of this bill would amend that paragraph to require only written statements.

Section 4, if enacted into law, would greatly simplify the administration of title II of Public Law No. 346, Seventy-eighth Congress. Section 4 amends paragraphs 1, 2, 6, and 7 of part VIII, Veterans Regulation No. 1 (a) to remove the distinction between education and training and refresher and retraining courses. This distinction has proved very difficult of administration and confusing to veterans applying for education and training. The section would also, if enacted into law, remove the distinction between those veterans under 25 and those over 25 years of age at the time of entrance into service. It has been found that the distinction between these two age groups has caused considerable dissatisfaction among the veterans, it has given rise to much misunderstanding of the purposes of the act, and increases the complexity of administration. It is not considered that the removal of this distinction would effect much increase in the ultimate cost of the educational provisions of the Servicemen's Readjustment Act of 1944 and such increase as might be effected would be offset by the simplification of administration. The section would also remove the distinction in existing law between the first year of education or training or refresher and retraining course and courses for subsequent years and make the basic entitlement of all persons not to exceed the time such person was in active service on or after September 16, 1940, and before the termination of the war, exclusive of such periods as he was assigned for a course of education or training under the Army specialized training program or the Navy college training program, which course was a continuation of his civilian course and was pursued to completion or as a cadet or midshipman at one of the service academies as is provided by existing law. However, the section would permit the election of a course of education or training which would require less than the full period of eligibility. The limit of any period of education or training to 4 years would be continued.

Section 4 further provides certain regulatory limitations that appear advisable. It will, if enacted into law, provide that subsistence allowances may not be paid in an amount which, together with the benefits paid, would exceed the amount payable under part VII, and it will also provide that any veteran eligible for training under part VIII who is also eligible for vocational rehabilitation under part VII may elect either benefit as is now provided by law, and, in addition, he may be provided an approved combination of such courses provided that the total period of such combined courses shall not exceed the maximum period of limitations under the part elected.

Section 5 would, if enacted into law, permit the Administrator to approve short intensive postgraduate or vocational training courses for a period less than the generally recognized school year and contains certain safeguards to prevent advantage being taken of veterans by improperly equipped institutions and also permits the payment of reasonable and fair rates for instruction and material. It also provides that for the purposes of this provision such postgraduate or

vocational training course shall be deemed the equivalent of one ordinary school year of education or training.

This section would also permit the election of a course of instruction by correspondence with similar safeguards and without authorizing the payment of any maintenance allowance in such cases.

Section 6 modifies the last proviso of paragraph 5 with reference to the adjustment and payment of fees and charges to educational and training institutions. This amendment appears to be necessary in order to clarify what is meant by fair and reasonable compensation for education and training at certain institutions and to afford necessary flexibility in the matter of authorizing the payment of fees by the Administrator. It is considered that the provisions as drawn protects the Government against excessive charges and also permits a fair adjustment on behalf of educational institutions. The section also defines the term "ordinary school year" and further clarifies the provision relative to intensive postgraduate, vocational, or trade course.

Section 7 is a formal provision relating to the effective date of the bill if enacted into law.

#### HOUSING FOR VETERANS ATTENDING EDUCATIONAL INSTITUTIONS

Mr. MORSE. Mr. President, I have been working with a veterans' group and a group of college and civic leaders with regard to a particular bill I am about to introduce, and with regard to which I wish to make some explanatory remarks. A news release went out this afternoon on the subject, so in order to include the contents of that release in today's RECORD, I shall appreciate it if those who have honored me by staying will permit me to take a few minutes for a brief comment with regard to this very important bill. I shall speak at some length later on the bill when it is reported by the committee to which it is referred.

Mr. President, I am introducing a bill to aid in providing housing for veterans attending educational institutions, and for other purposes. I am introducing it in my behalf and in behalf of my distinguished colleague, the senior Senator from Oregon [Mr. CORDON]. The bill we are introducing has been drafted to meet the need for housing for student veterans who are attending universities under provisions of the GI bill. It provides a three-way plan, so that it will fit every section of the country and so that it can be adjusted to the particular requirement of any authorized educational institution which may be attended by veterans under the bill.

The three-way plan embodies the following:

First. Loans to public agencies. This means any State, county, municipality, or other Government agency or public body, or any educational institution approved under the GI bill which is authorized to engage in the development of a housing project.

Loans made to public agencies shall bear interest at the rate of 2 percent. The housing authority under this section will approve rentals it deems to be fair, and the rental charged veterans will then be reduced below the established rental by an amount equal to 50 percent thereof, except that the reduction shall not exceed \$15 a month for single veterans or \$30 a month for a veteran and his family. Such reduction shall be credited

by the authority as a payment on the loan.

There is a maximum of \$4,000 per family dwelling unit except in cities where the population is over 500,000, and in this event the maximum is \$5,000 per family dwelling unit.

Second. The second approach is by the construction of housing at educational institutions by the United States under the Lanham Act, with the same provisions for reduced rentals for the veterans as in the case where loans are made for the construction of housing.

Third. The third approach is that where no living quarters are made available at reduced rentals under this act for veterans and their families, their subsistence allowance shall be increased by \$15 a month for veterans without dependents and \$30 per month for veterans with dependents.

It is possible now for educational institutions to obtain self-liquidating loans from the Reconstruction Finance Corporation. The usual policy of the R. F. C., however, is to charge 4 percent and it would require special authorization from the directors to reduce this amount. The interest rate provided for in the bill I am introducing is 2 percent, and there are the further benefits above indicated to assist educational institutions in providing housing.

I think it is urgent for the Congress to enact legislation of this character because unless it does so, the educational provisions of the GI bill in many instances will be valueless because the sum provided under this bill will be used up for housing accommodations and there will be little left for tuition and other college expenses. If our boys are to get the benefits of advanced education, we must do something to see that they can house themselves and their families at a moderate rental.

I wish to say, Mr. President, that I have been working on this subject not only with college administrators but with leaders of veterans' groups, who recognize that although the motives of Congress were of the very highest in passing the so-called GI bill, the bill is in need of extensive revision if it is to accomplish the ends sought by those motives. This is particularly true in the educational sections of the present law. Although it is conceived to be desirable to give veterans the advantage of college training, under the educational sections, it is now practically impossible for them to obtain such training under the money allowances of the act. There are very few college towns in which veterans who have families can rent accommodations for less than \$50 or \$60 a month. It should be remembered their entire allowance is only \$75 under the GI Act.

I think it is also important that we keep in mind the fact that the educational sections of the GI Act have great rehabilitative value. I can think of no better place for veterans who are seeking an education to make their readjustment to civilian life than on the campuses of American universities. So I believe it is important that we so amend the act as to enable veterans to attend college and have their families with them, living in decency and as a part of the university



community. I should not want them scattered all over the town or the surrounding areas, living in basements and attics, and places of exceedingly low rental value. We should give them what they are entitled to, and it seems to me that on this historic day we can well afford to direct our attention to making good with regard to the great debt of gratitude we owe to the living veterans who are winning the fight to keep America free.

I think we need to go through the G. I. law and amend those features which now make it impossible for the veterans really to take advantage of what Congress had in mind when the law was passed. I have attempted to draft a bill which will make it possible for veterans to obtain an education, and actually live on the campuses of American universities with their families.

Mr. President, I make one further point in conclusion. This is not the only section of the G. I. law which needs immediate revision by the Congress. I wish to urge the importance of immediate action in regard of veterans' legislation. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an editorial from the Portland Journal, written by Mr. R. F. Owen. Mr. Owen was formerly a lieutenant commander in the United States Navy. He gives a very interesting account of the experiences which he has had to go through in an attempt to take advantage of the loan provisions under the G. I. law. I know that most Senators have received correspondence, as I have, to the effect that the loan provisions are not working out to the benefit of the veterans. They may be working out to the benefit of some loan agencies and office holders, but not to the benefit of the veterans.

I have sought in the bill I am introducing to amend—really to implement—the educational sections of the G. I. law. I am endeavoring to accomplish in this bill the type of thing which I think we need to do with most of the other sections of the law. Possibly the law should be rewritten, but it can be amended intelligently, and I have sought to do it so far as providing low-cost housing for veterans under the educational sections of the act is concerned. At a later date, if other Senators do not see fit to do so, I shall offer further amendments to the GI law in regard to its loan sections, and also in connection with medical attention and hospitalization for veterans. I also think that the time limitations of the GI Act need to be greatly liberalized as indicated by Mr. Owens in his splendid editorial.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHERE GI BILL FAILS  
(By Roy F. Owen)

I am mad, hurt, and concerned over the GI loan bill. It means exactly nothing in a financial way but one more great big headache for this country to face with its returning soldiers and sailors.

Before I was released from active duty with the Navy, we held meetings to instruct the men in what they would be entitled to upon their discharge and release. The GI loan

bill, we said, provides for a loan up to \$2,000 guaranteed by the Government for either purchase of real property or for use in getting started in business of some kind.

Upon my release I decided to test the effectiveness of the bill. I am not personally in need of money but I wanted to see for myself what the GI bill provided. I went to the Veterans' Administration in Portland to inquire as to procedure to be followed in securing a loan. I was at once referred to a bank, any bank, for origination of the loan and to secure and complete the necessary forms. I went to a banker I personally know well. He referred me to the Reconstruction Finance Corporation in this city. The gentlemen at the R. F. C., after questioning me at some length as to the purpose of the loan—a business one—advised me of several things:

1. The R. F. C. does not lend money—only approves loans made.
2. No loan can be made unless and until a bank refuses the loan.
3. No loan can be made without good collateral.
4. No consideration can be given one's professional reputation or record of success.
5. Any loan must be applied for within 2 years of separation from service.
6. The R. F. C. cannot even consider an application for a loan until the veteran has completed a series of forms that go from the R. F. C. to the Veterans' Administration in Portland to the Veterans' Administration in Seattle and from there to an office in New York and then either back through the same chain or to somewhere else.

Now, if one had good collateral, he would not need a GI loan, but could go to the bank and get whatever money was needed within the limit of his credit.

The 2-year clause means loans, if and where granted, will be on real estate at an inflated value, or we force the veterans to buy real estate, thus forcing an inflated value.

There is a contradictory angle that says loans under the GI bill cannot be made on property bought at more than its reasonable normal value. Where can anyone find property now that sells at a normal valuation?

Lastly, our returning soldiers and sailors will, in the main, be youngsters. They are not ready to buy homes and settle down or go immediately into business for themselves. Yet, if they practice the caution of waiting, the 2 years will expire before they receive any benefit from the GI bill.

Framers of the bill may have had the welfare of our servicemen at heart. But they certainly bungled the instrumentality of the legislation. It should be amended before it defeats its purpose by breaking rather than making morale.

Mr. MORSE. I ask unanimous consent to introduce the bill, and to have it appropriately referred.

There being no objection, the bill (S. 977) to aid in providing housing for veterans attending educational institutions, and for other purposes, introduced by Mr. MORSE (for himself and Mr. CORDON), was received, read twice by its title, and referred to the Committee on Finance.

#### HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H. R. 694. A bill to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic; to the Committee on Interstate Commerce.

H. J. Res. 177. Joint resolution repealing a portion of the appropriation and contract

authorization available to the Maritime Commission; to the Committee on Appropriations.

#### DIPLOMATIC PROTECTION OF AMERICAN PETROLEUM INTERESTS ABROAD

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that a monograph which has been prepared by Mr. Henry S. Fraser, chief counsel for the Special Committee Investigating Petroleum Resources, be printed as a Senate document. It is a study of diplomatic protection of American petroleum interests abroad, a very valuable and scholarly presentation of this matter, which I believe should be available to all Members of the Senate. I therefore ask unanimous consent that it be printed as a Senate document.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

#### JEWISH RIGHTS—ADDRESS BY SENATOR WAGNER

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address delivered by him at a mass rally for Jewish rights held under the joint auspices of the American Jewish Conference and American Zionist Emergency Council, at Lewisohn Stadium, New York, April 29, 1945, which appears in the Appendix.]

#### WHAT IS THE AMERICAN WAY OF LIFE?—ARTICLES BY SENATOR SALTONSTALL, SENATOR WILEY, AND GOV. ELLIS ARNALL, OF GEORGIA

[Mr. BURTON asked and obtained leave to have printed in the RECORD a symposium entitled "What Is the American Way of Life?" containing articles by Senator Saltonstall, Senator Wiley, and Gov. Ellis Arnall, of Georgia, which appears in the Appendix.]

#### DEDICATION OF THE NEW WOODROW WILSON HOUSE—ADDRESS BY HON. JOSEPHUS DANIELS AND STATEMENT BY ARTHUR SWEETSER

[Mr. HILL asked and obtained leave to have printed in the RECORD an address delivered by Hon. Josephus Daniels at the dedication and opening of the new Woodrow Wilson House in New York City on April 17, 1945, and also a statement by Mr. Arthur Sweetser, president of the Woodrow Wilson Foundation, on the same occasion, which appear in the Appendix.]

#### RIVER BASIN AUTHORITIES AND THE NEW COMMUNITY—ADDRESS BY HON. LELAND OLDS

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address entitled "River Basin Authorities and the New Community," delivered by Hon. Leland Olds, Vice Chairman of the Federal Power Commission, before the Washington Academy of Sciences, Washington, D. C., on April 19, 1945, which appears in the Appendix.]

#### ADDRESS BY HON. OSCAR R. EWING AT NATIONAL RALLY OF THE UNITED AMERICANS FOR UNITED NATIONS

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an address delivered by Hon. Oscar R. Ewing, vice chairman, Democratic National Committee, at the National Rally of the United Americans for United Nations at New York City on April 25, 1945, which appears in the Appendix.]

#### BREAD, NOT STONE—ARTICLE FROM THE STARS AND STRIPES

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an article entitled "Bread, Not Stone," published in the

Stars and Stripes of April 11, 1945, which appears in the Appendix.]

#### OBLIGATION OF A HOME-FRONT SOLDIER

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a statement entitled "Till the Last Shot Is Fired—My Obligation as a Home-Front Soldier," issued by the I Am an American Foundation, which appears in the Appendix.]

#### THE EDUCATION OF DENTISTS IN WARTIME—EDITORIAL FROM JOURNAL OF THE AMERICAN DENTAL ASSOCIATION

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an editorial entitled "The Education of Dentists in Wartime," published in the last issue of the Journal of the American Dental Association, which appears in the Appendix.]

#### THEY SHALL NOT MARCH ALONE—ARTICLE BY CHAPLAIN GROVER C. SCHWARTZ

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article entitled "They Shall Not March Alone—The Spirit of the American Chaplain," by Chaplain Grover C. Schwartz, published in the March 1945 issue of the Mississippi Veteran, which appears in the Appendix.]

#### SALARY INCREASE FOR MEMBERS OF CONGRESS—LETTER FROM NEW YORK BOARD OF TRADE

[Mr. TUNNELL asked and obtained leave to have printed in the RECORD a letter from John B. Glenn, president of the New York Board of Trade, Inc., on the subject of a salary increase for Members of Congress, which appears in the Appendix.]

#### CONTROL AND TREATMENT OF INFANTILE PARALYSIS

[Mr. LANGER asked and obtained leave to have printed in the RECORD an address on the control and treatment of infantile paralysis, delivered by Sister Kenny before the Illinois State Legislature, which appears in the Appendix.]

#### WORLD POWER CONCEPTS—ARTICLE BY DAVID LAWRENCE

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "World Power Concepts Unfolding at Parley," written by David Lawrence, which appears in the Appendix.]

#### JUSTICE FOR THE POSTMAN—EDITORIAL FROM NEW YORK DAILY MIRROR

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "Justice for the Postman," published in the New York Daily Mirror of April 28, 1945, which appears in the Appendix.]

#### A SQUARE DEAL FOR POSTAL WORKERS—EDITORIAL AND LETTER FROM BOSTON DAILY RECORD

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "A Square Deal for Postal Workers," together with a letter from William C. Doherty, president of the National Association of Letter Carriers, published in the Boston Daily Record of April 21, 1945, which appears in the Appendix.]

#### EXEMPTION OF FARM WORKERS FROM SELECTIVE SERVICE—ACTION BY REPUBLICANS IN CONGRESS ON VETO BY THE PRESIDENT

Mr. HATCH. Mr. President, I hold in my hand an editorial entitled "The Republicans in Congress Write Another Chapter," published in the New York Times of May 5, 1945. I have been debating whether to ask unanimous con-

sent to have the editorial printed in the RECORD, because it analyzes a vote in the House of Representatives on the first veto message of the President of the United States. I myself have made no such analysis. I have never examined a vote in either branch of the Congress from a partisan or political standpoint. However, reading this editorial disturbs me. I am disturbed at the thought which is implied; and because I am disturbed, I ask unanimous consent that the editorial be printed in the RECORD, and urge that it receive the most careful consideration of every Member of the minority party.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### THE REPUBLICANS IN CONGRESS WRITE ANOTHER CHAPTER

For the sake of the record it is important to note the action of the Republicans in the House of Representatives on the first veto of a bill by President Truman.

The issue was whether blanket exemption from the Selective Service Act should henceforth be granted to all farm workers, thereby establishing an especially favored group of citizens.

President Truman properly vetoed this proposal. His own party in the House of Representatives voted to sustain him in this veto by a majority of 164 to 30.

And what did the House Republicans do?

They voted 154 to 12—more than 12 to 1—to override the veto. Mr. MARTIN of Massachusetts, Republican leader, led the way.

The same old stupid business goes on of looking for political advantage by "voting against the President." Now in the record of the House Republicans a new item of opposition is added to a record that already includes opposition to repeal of the arms embargo, opposition to selective service, opposition to renewal of selective service, opposition to the Hull trade program, opposition to lend-lease.

It is a curious thing the way a Republican candidate for the Presidency bobs up every 4 years and then seems surprised because the independent voters of the country don't rush to support the Republican Party "on its record."

Mr. TAFT. Mr. President, as I understand, this is an editorial which criticizes the Republicans in the House.

Mr. HATCH. That is correct.

Mr. TAFT. It criticizes the Republicans in the House for voting to override the President's veto of a bill to exempt farm laborers. The bill was passed unanimously by the Senate. As I remember the circumstances, every Member of this body approved it. It was supported and put through by the senior Senator from Maryland [Mr. TYDINGS] and received the unanimous support of this body.

An editorial which criticizes the Republican Party in the House for voting for a measure which was unanimously approved by this body, and which met the active support and approval of many of the members of the majority party here, as well as the minority party, may be a proper element in the RECORD; but I should like to call attention to the facts behind this particular measure.

Mr. HATCH. Mr. President, I wish to have it definitely understood that I make no criticism of anyone. However, I read the editorial with deep concern, because it shows a marked partisan division, a

thing which I dislike, especially when I review in my own mind the questions which will confront this country in the months ahead. I submit the editorial for the consideration of all Members of Congress, for whatever it may be worth.

Mr. TAFT. Mr. President, I suggest that when the Republican Members voted against the convictions which they held all along, that was far less partisan than the vote by majority Members in the House of Representatives, who formerly had one view, and, simply because the President happened to veto the bill, were willing to change their views and refuse to vote for the bill again. That certainly was more of a partisan exhibition than the action of the Republicans in the House.

#### PLANNING OF RURAL ELECTRIFICATION PROJECTS

Mr. LUCAS. Mr. President, I wish to make a brief statement in connection with Senate bill 89. Last week I advised the Senate that I would move to take up that bill following the disposition of the bill which was then before the Senate.

Today I learn that the Senator from Oklahoma [Mr. THOMAS], who is chairman of the Committee on Agriculture and Forestry, is unavoidably out of the city on official business. I shall therefore not move to take up the bill today, but probably will do so on Thursday. As I understand, the Senator from Oklahoma is expected to return by that time.

Mr. HILL. Mr. President, I can well understand why the Senator from Illinois would not wish to bring up the bill today, in the absence of the distinguished chairman of the Committee on Agriculture and Forestry. I shall be glad to cooperate with the Senator in obtaining consideration of the bill on Thursday.

As soon as the Senate shall have finished the business on the calendar in executive session, I shall move that the Senate resume the consideration of legislative business, with the intention of taking up for consideration at that time the motion of the junior Senator from Louisiana [Mr. ELLENDER] to reconsider the vote by which the so-called Tydings-Bilbo hospital construction bill passed the Senate a few days ago.

#### LEAVE OF ABSENCE

Mr. GURNEY. Mr. President, for the information of the Senate, let me say that a subcommittee of the Committee on Public Lands and Surveys is planning to hold hearings in New Mexico and Arizona, which will run through the 15th of May. I do not know whether or not the chairman of the committee, the Senator from New Mexico [Mr. HATCH] will make a similar request; but on my own behalf I ask unanimous consent to be absent from the Senate during the hearings, which will last approximately a week.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and the request is granted.

Mr. HATCH. Mr. President, tomorrow several members of the Committee on Public Lands and Surveys will be compelled to leave Washington in connection with committee hearings. They



will be detained in the West for probably a couple of weeks. For myself, the Senator from South Dakota [Mr. GURNEY], the Senator from Indiana [Mr. WILLIS], and the Senator from Oregon [Mr. CORDON], I ask unanimous consent that we may be excused from attendance on duties of the Senate during that period of absence.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and consent of the Senate is granted.

#### EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE REPORT OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nomination of W. Coy St. John, to be postmaster at Manchester, Tenn., in place of Hugh Doak, resigned.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). If there be no further reports of committees, the clerk will proceed to state the nominations on the calendar.

#### FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Foreign Service.

Mr. HILL. I ask that the nominations in the Foreign Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Foreign Service nominations are confirmed en bloc.

#### POSTMASTER GENERAL

The legislative clerk read the nomination of Robert E. Hannegan, of Missouri, to be Postmaster General.

Mr. HILL. I ask that the nomination of Postmaster General be temporarily passed over, until the routine nominations are confirmed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HILL. I ask that the routine postmaster nominations be confirmed en bloc.

Mr. BALL. I ask that the nomination of Thomas J. Kosanda, to be postmaster at Hopkins, Minn., be excepted from that request. I desire to make a brief statement regarding the nomination.

Mr. McKELLAR. That will be satisfactory.

Mr. HILL. I so modify my request to have the postmaster nominations confirmed en bloc, and I ask that with the exception noted by the Senator from Minnesota, they be confirmed en bloc.

The PRESIDING OFFICER. The nomination for postmaster at Hopkins, Minn., will be temporarily passed over. Without objection, the remaining postmaster nominations are confirmed en bloc.

#### THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. HILL. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Army nominations are confirmed en bloc.

The clerk will now state the first nomination which has been passed over.

#### POSTMASTER GENERAL

The legislative clerk read the nomination of Robert E. Hannegan, of Missouri, to be Postmaster General.

Mr. McKELLAR. Mr. President, I request a vote on the nomination.

Mr. DONNELL. Mr. President, at the conclusion of my remarks it will be my intention to request that, by unanimous consent, the nomination of Robert E. Hannegan to be Postmaster General be recommitted to the Committee on Post Offices and Post Roads. I do not make that request at this time.

Mr. MORSE. Mr. President, will the Senator yield for the purpose of permitting me to suggest the absence of a quorum?

Mr. DONNELL. I yield.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Hawkes	O'Mahoney
Bailey	Hayden	Overton
Ball	Hickenlooper	Radcliffe
Bankhead	Hill	Reed
Billbo	Johnson, Colo.	Revercomb
Briggs	Johnston, S. C.	Robertson
Buck	Kilgore	Russell
Burton	La Follette	Shipstead
Bushfield	Langer	Smith
Butler	Lucas	Stewart
Capper	McFarland	Taft
Chavez	McKellar	Taylor
Cordon	McMahon	Tunnell
Donnell	Maybank	Tydings
Downey	Millikin	Walsh
Ellender	Mitchell	White
Ferguson	Moore	Wiley
Green	Morse	Wilson
Gurney	Murdock	Young
Hart	Murray	
Hatch	O'Daniel	

Mr. BAILEY. Mr. President, I announce that my colleague, the junior Senator from North Carolina [Mr. HOEY], is absent, having gone to North Carolina to fulfill an engagement at a commencement occasion. He will return, so he told me, on Wednesday.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent inspecting concentration and prison camps in Europe.

The Senator from Virginia [Mr. BYRD] and the Senator from Mississippi [Mr. EASTLAND] are absent on official business for the Senate Naval Affairs Committee.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GERRY], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from North Carolina [Mr. HOEY], the

Senator from Washington [Mr. MAGNUSON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are absent on public business.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference in San Francisco.

The Senator from Nevada [Mr. McCARRAN] and the Senators from Arkansas [Mr. McCLELLAN and Mr. FULBRIGHT] are absent on official business.

The Senator from Montana [Mr. WHEELER] is attending to public business pertaining to his State.

Mr. WHITE. The Senator from Vermont [Mr. AIKEN] is absent by leave of the Senate.

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business visiting various concentration and prison camps in Europe.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a delegate to the International Conference at San Francisco.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from New Hampshire [Mr. TOBEY] is absent on official committee business.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent.

The Senator from Maine [Mr. BREWSTER] and the Senator from Indiana [Mr. WILLIS] are detained in committee meeting.

The PRESIDING OFFICER. Sixty-one Senators having answered to their names, a quorum is present.

Mr. DONNELL. Mr. President, as I indicated a few moments ago, it is my intention at the conclusion of my remarks to ask unanimous consent that the nomination of Robert E. Hannegan to be Postmaster General of the United States be recommitted to the Committee on Post Offices and Post Roads. It is my further intention, in the event that the reference be made, to ask the committee to hold public hearings on the nomination, to which hearings Mr. Hannegan, as well as other witnesses, shall be invited or summoned.

At this time I propose to address my remarks to certain reasons why the nomination should be recommitted to the Committee on Post Offices and Post Roads, and why hearings should be held.

The first of the reasons why recommitment to the Committee on Post Offices and Post Roads should be had is that this nomination has not been presented at a hearing of that committee. On May 3, the nomination was reported to the Senate. On May 3, a paper, a copy of which I have in my hand, was passed around among some but not all of the members of the committee. That paper was signed by 11 of the 19 members of the committee.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. McKELLAR. The statement of the Senator from Missouri is correct that 11 members of the committee signed the report. They were composed of both Democrats and Republicans. Only one of them objected at the time, and he afterward withdrew his objection. So in making its report the committee, by following the method of polling its members, did only what has been done for—I can only speak for the 29 years during which I have been a Member of the Senate—a great many years. Such method has been an accepted custom in determining the views of the committee on nominations submitted to it.

Mr. MORSE and Mr. TAFT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Missouri yield, and if so to whom?

Mr. DONNELL. I yield first to the Senator from Oregon.

Mr. MORSE. I am very glad to hear the explanation just made by the distinguished Senator from Tennessee because, as a freshman in the Senate, I am not familiar with Senate committee polling methods. As a member of the committee, I was not polled. I wish to say, however, that if the custom to which the Senator has referred has been pursued for the past 29 years, it is about time that it be changed. I think that when we are asked to consider an appointment as important as that of a Postmaster General, each and every member of the committee should be consulted. I have ascertained that I was present on the floor of the Senate at the time the so-called polling took place. In my judgment, each and every member of the committee should have been polled; but it seems to me that sound practice would have called for a meeting of the committee for a full discussion of an appointment so vital to the interests of this country as is the appointment of a person to be a member of the Cabinet.

Later I shall speak with reference to what criteria I think should be applied in connection with determining the qualifications of a person who has been appointed to a Cabinet position. I believe the Senate is well aware of the position I took on a previous occasion with regard to the President's prerogatives when an appointment to a Cabinet position is made. But I do not think that such an appointment should be confirmed until there has been afforded full and adequate opportunity for the committee to hold hearings.

Mr. McKELLAR. Mr. President, it seems to me that it was only a short time ago when we had before us for consideration the nomination of Mr. Wallace to be Secretary of Commerce. As I now recall, the Senator from Oregon then argued that the President, having sent to the Senate the nomination of a person to be a member of his Cabinet, should have the right to have the nomination confirmed as a matter of course.

Mr. MORSE. The distinguished Senator from Tennessee could not be more

mistaken with regard to my views on any matter than his remarks just spoken show him to be in regard to my views in connection with the Wallace nomination.

Mr. McKELLAR. The Senator from Oregon voted for Mr. Wallace.

Mr. MORSE. I was one who believed, on the basis of the criteria which had been established throughout the history of this country in regard to Cabinet appointments, that Mr. Wallace's nomination should be confirmed by the Senate, and I so voted. I shall not at this time discuss those criteria. However, as a Member of the Senate on this side of the aisle, I was one who insisted that Mr. Wallace's qualifications be determined by those criteria. After the lengthy committee hearings on Mr. Wallace, I became convinced that Mr. Wallace met those tests. I am not saying that Mr. Hannegan cannot meet them; I merely assert that they should be applied to his nomination. Hence, in fairness to Mr. Hannegan and President Truman, I think that the Senator from Tennessee, as chairman of the Post Offices and Post Roads Committee, should call a meeting of the committee for a determination of the procedure which should be followed by the committee in this matter.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. TAFT. Mr. President, without discussing the question as to the wisdom of the practice of polling committees—and I may say parenthetically that I think it is a very bad practice—I believe that the nomination of every important officer which is sent to the Senate should be considered at a meeting of the committee to which the nomination has been referred. I think that notice of the appointment should be given in order that all Members of the Senate may come before the committee and object to the nomination or request that hearings be held. But apart from that, it has also been the practice, so far as I know, that when an appointment is reported to the Senate, before any action is taken upon it, it is submitted to the Senators representing the State from which the appointee comes for their comment and advice.

The Senator from Missouri [Mr. DONNELL] was not consulted in connection with this appointment. He was a member of the committee, but he was not polled until after a large majority of the committee had already signed the report. If we are to follow the practice to which the Senator from Tennessee [Mr. McKELLAR] has referred, I submit that the practice was ignored in this particular case.

Mr. McKELLAR. The clerk of my committee, acting under my instruction, did poll the Senator from Missouri. I do not know whether he signed the report, but both Senators from Missouri were advised of the nomination.

I may say very frankly that it never occurred to me that Mr. Hannegan would not meet the requisite qualifications for the high office of Postmaster General. I never dreamed that any objection would

be made to his nomination. I was astonished when objection was made. A few Senators were consulted, and the committee was polled in the usual and everyday way in which such polls have been conducted during the past 29 years. I have been a Member of the Senate. In fact, the same method was pursued many years before I became a Member of the Senate.

Mr. DONNELL. Mr. President, with respect first to the statement of the distinguished Senator from Tennessee as to the custom which has prevailed, I understood him to say that such custom had prevailed with respect to the nomination of postmasters. I invite the attention of the Senate to the fact that this appointment does not concern alone a Postmaster General. The appointment is of a member of the Cabinet of the President of the United States. I further invite attention to the fact that with the exception of the incident, to which I shall advert in a moment, the matter was never mentioned to me either directly or indirectly.

On the 3d day of May, which was the date on which the nomination was reported to the Senate, a gentleman whose identity I do not know, but whom I judged to be the clerk of the committee, or an assistant, came to my desk and handed me a paper or card upon which appeared various signatures. He made mention of the fact that the card or paper related to the appointment of Mr. Hannegan, and inquired in substance whether I would sign it. I looked at the paper and told him that I would not sign it; that I desired to consider the matter before determining what I should do. The paper was never again presented to me. My signature is not upon it. I do not know how many Members of the Senate or of the committee had already signed the paper when it was presented to me. I do know, however, that upon such paper or card, over the signature of the Honorable WILLIAM LANGER, United States Senator, appeared the words: "Opposed, and want a hearing."

I undertake to state further that this request of the Senator from North Dakota, whether withdrawn or not by him, was never submitted to the committee. I undertake to supplement the remarks made by the Senator from Oregon and the Senator from Ohio, for which I am grateful, by stating that, in my judgment, when a member of a committee of the United States Senate asks for a hearing upon the question of the appointment of a member of the Cabinet of the President of the United States, it would appear to me certainly to be right and at least courteous to call the committee together and present the request of the Senator to the committee.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. DONNELL. I yield.

Mr. McKELLAR. When the clerk of the committee called on the Senator from Missouri, who is now speaking, and showed him the poll of the committee, and asked him to sign or do whatever he wished to do about it, did the Senator



from Missouri request of the clerk that a hearing be held?

Mr. DONNELL. No, sir; I do not regard the clerk of the committee as the committee itself. I was handed this document which had at the bottom of it over the names which are there signed the words "With the recommendation that the nomination be confirmed." The paper or card did not indicate at any place that it was designed to be the document upon which there should be contained a request for a hearing; but the Senator from North Dakota inscribed on it the words I have quoted. I did not sign the paper, and the request of the Senator from North Dakota for a hearing was never communicated to the Committee on Post Offices and Post Roads.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. DONNELL. I yield.

Mr. MORSE. After the Senator had notified the clerk of the committee that he would not sign the slip of paper that had been shown him did the chairman of the committee at any time thereafter suggest to the Senator from Missouri that there would be a committee meeting to consider the Senator's objections?

Mr. DONNELL. My statement to the gentleman who, I assumed, was the clerk of the committee, was that I would not sign it, and neither then nor thereafter have I ever heard from the chairman of the committee or any member of the committee requesting me to indicate whether I would sign or whether I desired a hearing.

Mr. MCKELLAR. Mr. President, will the Senator yield?

Mr. DONNELL. I shall be glad to yield in a moment.

I discussed the matter with several Members of the Senate, but there has been no meeting of the Committee on Post Offices and Post Roads to consider the request of the Senator from North Dakota, and, as I have indicated, the paper, signed as it was by only 11 members of the committee, only 10 of whom approved the nomination, does not, in my judgment, constitute action of the committee, regardless of the practice which the distinguished Senator from Tennessee and other Senators say has prevailed.

I now yield to the Senator from Tennessee.

Mr. MCKELLAR. Mr. President, it just happens that the chairman of the Committee on Post Offices and Post Roads was in the Senate the entire afternoon, and he remembers very distinctly not only having seen the Senator from Missouri in the Chamber, but having seen him in the Chamber practically all afternoon. The Senator from Missouri, having received the usual ordinary report, made in the usual ordinary way and signed in the usual ordinary way, does he not think that if he had any reason for making objection or wanting a hearing it would have been the simplest matter for him to have gone to the chairman of the committee and so expressed himself? The chairman of the committee, because he happens to be chairman, is still a Member of the Senate; he is exceedingly friendly to the Senator from Missouri, and would have been glad if the Senator

from Missouri at the time had made such an objection or such a claim to have had it go before the committee; but the Senator was perfectly silent on the subject on the day the action was taken.

Mr. REED. Mr. President, will the Senator yield?

Mr. DONNELL. I shall be glad to yield in a moment. I should like first to answer the Senator from Tennessee. In my judgment, the proper procedure for me to follow is that which I am following, namely, to present upon the floor of the Senate, which I shall do, a request for unanimous consent that the nomination of Mr. Hannegan be recommitted to the committee.

I now yield to the Senator from Kansas.

Mr. REED. Mr. President, I happen to be a member of the Senate Committee on Post Offices and Post Roads; I also happen to be the ranking Republican member of that committee. I signed the card which has been referred to because I had no information from any source, not the slightest intimation, that there would be any serious objection—I withdraw the word "serious" and say any objection to the confirmation of Mr. Hannegan.

I desire to say that circulating a card to take a poll of the committee is not good practice. I hold that view under the tutelage of the distinguished Senator from Maine [Mr. WHITE], the minority leader, who has always, so far as I know, objected to such procedure in other committees on which I have served with him.

Mr. President, I would not have signed that card if I had known that there was any opposition, if I had known that any Senator, especially a Senator from the nominee's own State had made objection.

I am very sorry indeed that the Senator from Missouri did not notify the chairman or even mention the matter to me as the ranking minority member. I certainly would have insisted upon a meeting of the committee and consideration by the committee. I doubt if the Senator from Missouri could get unanimous consent, but if he wants to make a motion to recommit the nomination I certainly shall vote for it.

Mr. DONNELL. I thank the Senator.

Mr. President, the Senate will recall that on the afternoon of May 3, the same day on which the nomination was presented to the Senate, sometime before 10 minutes past 4, which was the hour of the recess the chairman of the committee sought to obtain immediate consideration and confirmation of the nomination. I may say that prior to that time I had already talked with the minority leader, and I think prior to that time I had also talked with the distinguished Senator from Ohio upon this subject. It was under consideration in my mind as to the proper course of conduct for me to pursue.

To my mind, Mr. President, the remark made by the distinguished Senator from Kansas illustrates very clearly the lack of wisdom of the practice of a committee undertaking to act without the holding of a meeting. The very opportunity for the interchange of views, the very opportunity for the interchange of information, does not exist under the

practice by which a piece of paper is circulated around to the individual members. That illustrates the fact, just as in the case of a board of directors of a corporation, in my judgment, that there is, to say the least, very serious doubt as to the validity of the action, so-called, of a committee which is not based upon some formal action in a meeting of the committee.

In fact, the rules of the Senate, I think distinctly contemplate that committees shall act in meetings. I call attention to rule XXV, subdivision 3, found on page 32 of the Standing Rules of the Senate, which prescribes as follows:

That the several Standing Committees of the Senate having a membership of more than three Senators are hereby respectively authorized to fix, each for itself, the number of its members who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee.

With a certain limitation upon the number which may constitute a quorum.

I note in Webster's Unabridged Dictionary the definition of "quorum" to be as follows.

Such a number of the officers or members of any body as is—

And I call attention to these next words—

when duly assembled, legally competent to transact business.

So, Mr. President, not in any spirit of hostility, not in any spirit of denial of the fine courtesy which has been constantly extended to me by the distinguished Senator from Tennessee, for whom I have the highest regard, but from the standpoint of what I believe to be good and proper practice, I call to the attention of the Senate the fact, as I have indicated, that there was no meeting of the Committee on Post Offices and Post Roads on this important matter. Indeed—and I trust the chairman of the committee will take no offense at my mentioning the fact—I have been in Washington as a Member of the Senate since the 10th day of January of this year, and there has been no meeting of the Committee on Post Offices and Post Roads, to my knowledge, certainly none of which I have been informed, on or since the 10th day of January 1945.

The point I make at the outset, as I have said, is that among the reasons why there should be a recommitment of the nomination to the Committee on Post Offices and Post Roads is the fact that the nomination has not been presented at a meeting of the committee.

It is to be noted also, Mr. President, that there is no urgency which would prevent action in normal and proper course, legal course, if you please, by the committee. There is no urgency which would prevent the holding of hearings, because the appointment, as I observe from the document of which I have a copy, the paper signed by 11 out of 19 members of the committee, distinctly states that the effective date of the appointment of Mr. Hannegan is July 1, 1945, approximately 8 weeks from the present time. So there is no urgency which would have required us, on the



3d day of May, to pass upon this nomination without prior meeting of the committee, or which would require us to pass on it today. This point I mention as to the failure of the committee to meet is presented for the consideration of the Senate.

There is a second reason which to my mind is persuasive and highly important as to the advisability of holding a hearing, or series of hearings, upon the nomination. As I have mentioned, this is a Cabinet office, the office of an adviser to the President of the United States, an officer who has under his jurisdiction vast interests, both of persons and of property. I have been unable to secure a printed copy of the report of the Postmaster General for the fiscal year ending June 30, 1944, but I observe from the report which the Department has very kindly furnished me for the fiscal year ending June 30, 1943, that the postal operating revenues for that year were \$966,227,288, almost a billion dollars, under the jurisdiction of the Department over which the Postmaster General presides.

I observe also in the same report the statement that the number of employees of the Post Office Department of the United States is some three hundred and fifty thousand. I quote this significant and interesting sentence from the report:

The Post Office Department is one of the largest employers of men and women in the country, and in peacetime is the largest in the Government.

Not only, however, is there an extensive personnel under the jurisdiction of the Postmaster General; not only is there a tremendous volume of business, as I have indicated but, in addition, there are important contracts all over the United States of America which may readily and properly be considered as apt to be made by the Postmaster General. For illustration, in normal times there comes under this Department the question of the construction of buildings for post offices. In the fiscal year ending June 30, 1943, the Department operated 3,258 Government-owned buildings; and I know that in the State of Missouri—and my distinguished colleague will concur with me, I am sure—there are a great many very fine post office buildings, of which we are very proud; and from time to time there will be others constructed, in normal times, within our State, and in every other State in the Union.

There is another fact, Mr. President, which, as I see it, enters most strongly into the question as to whether or not the filling of this Cabinet office with the proper person is itself of highest importance. I refer to the fact that civil service is to be applied, and under the law of the United States is required to be applied, to the Post Office Department. On the first day of January of this year there were 42,031 post offices in the United States of America, and, as I have previously indicated, back in the fiscal year 1943 the number of employees was some three hundred and fifty thousand. The great bulk of these, I should judge, are clearly under civil service, and this in itself makes it of high importance as to who it is, and what his

attitude may be, who shall fill the office of Postmaster General of the United States.

The third of the reasons why there should be a recommitment of this nomination to the Committee on Post Offices and Post Roads is the fact that the Postmaster General is generally regarded, and I think correctly so, as exerting much influence, not only with respect to the appointment of those under his own jurisdiction, one-third of a million men and women, but, furthermore, as exerting much influence in the entire field of Federal patronage.

I quote from the Washington Star of May 4 of this year:

It is also a fact, however, that the Cabinet place—

Speaking of the Postmaster Generalship—

by reason of the patronage that goes with it, adds materially to the national chairman.

I shall make mention of the chairman proposition a little further in my remarks.

So we have three reasons, up to this point, as to why there should be a recommitment, first, the fact that the nomination has never been presented to the committee; second, that there is a high degree of importance in filling this Cabinet office with a proper person; and third, the fact that the Postmaster General is generally recognized as exerting much influence in the entire field of Federal patronage.

Mr. President, the fourth reason, as I see it, why the nomination should be recommitment to the Committee on Post Offices and Post Roads is the decision which Mr. Hannegan is reported to have made to retain his post as chairman of the Democratic National Committee while occupying the office of Postmaster General. I again quote from the Washington Star of May 4:

When Postmaster General Walker—

Who is now in office, I may say—

When Postmaster General Walker resigned as party chairman last year he gave as a reason the fact that, with the war and the constantly growing volume of Post Office business, the latter position had become so important as to require—

And I quote him, as I understand it—the full attention and energy of the Postmaster General.

It is interesting to note in this connection the comments made in the Washington Post of May 5, as follows:

The position of Postmaster General should be regarded as a full-time job. We fail to see how the duties of that office can be successfully discharged by an incumbent who is concurrently serving as chairman of the Democratic Party.

Mr. President and Members of the Senate, this body is entitled to know how, and just how, Mr. Hannegan expects to find time to carry on both positions if Mr. Walker could not do so.

I have advanced four reasons, and I now come to the fifth, which to my mind is likewise of high importance as indicating the desirability and importance of a recommitment of the nomination to the committee. The fifth reason is the

fact that the duties of Postmaster General and those of the chairman of the National Democratic Committee are inconsistent. I quote again from the Washington Post of May 5, as follows:

Such dual responsibilities also require an officeholder to follow incompatible objectives. For the first duty of a Cabinet officer heading a great Government department should be to raise standards of performance and protect his organization against encroachment of the spoils system.

I continue reading from the Washington Post:

The head of the party organization, on the other hand, is virtually compelled to exploit such opportunities as are open to him to parcel out political offices as the spoils of partisan victories.

So I say, Mr. President, in addition to the reasons previously mentioned why there should be hearings before the committee, is the incompatibility and inconsistency of the duties of Postmaster General and those of the chairman of the National Democratic Committee.

Then, Mr. President, there is a sixth reason which to my mind is one of tremendous importance, and it is one which to my mind is of such nature and extent as to require a knowledge of the facts which can only be secured by the Senate or by a committee of the Senate by hearings, and quite extensive hearings, too, upon the subject.

The sixth reason is a series of incidents which occurred in the State of Missouri during Mr. Hannegan's career, which incidents should be examined into by the committee with the purpose of determining whether or not they indicate that Mr. Hannegan is a proper person for the Postmaster Generalship. To my mind the six reasons which I have mentioned are unanswerable respecting the advisability and the importance and reasonableness of the request for unanimous consent from every Member of the Senate for a recommitment of this important nomination.

I have referred to the sixth reason, which involves a series of incidents. I shall take the liberty, Mr. President, of starting right at the birth of Mr. Hannegan. I shall endeavor to be as little tedious as is possible, yet I am sure the Members of the Senate will bear with me when they realize the vast scope of the series of incidents to which I refer.

Robert E. Hannegan was born in the city of St. Louis, Mo., in 1903. He attended St. Louis University and was an honor graduate of its law school in 1925. He was admitted to the bar of Missouri and entered the practice of his profession in St. Louis. He was active in local ward political affairs sometime prior to 1934.

In the spring of 1933, Bernard F. Dickmann, whose name will be mentioned several times, was elected mayor of the city of St. Louis. He was a member of the same political party to which Mr. Hannegan belongs, the Democratic Party. He was a close friend and a political associate of Mr. Hannegan.

On the 12th day of June 1934, in order to fill a vacancy then existing upon the city committee of the Democratic Party for the twenty-first ward, Mr. Hannegan was appointed by Gov. Guy B. Park, of



Missouri, as Democratic ward committeeman for that ward. On August 22, 1934, he was named by the St. Louis Democratic city committee as chairman of that committee.

It is to be noted that in those days factional strife was developing in the Democratic Party in the city of St. Louis; and on May 31, 1935, Mayor Dickmann, in an effort to strengthen Mr. Hannegan, had the board of estimates tell all applicants for city jobs to "See Hannegan first."

Five days later, June 4, Mr. Hannegan was ousted as chairman, being succeeded by one John P. English. Mr. Hannegan retained, however, his high place in the counsel of the Dickmann administration, and participated in a meeting of the Dickmann so-called cabinet, which confirmed the dismissal of hundreds of city employees who had been recommended by committeemen and committeewomen, who had opposed Messrs. Hannegan and Dickmann.

There was pending at that time in the city of St. Louis a very important city administration measure. That was the proposition of the so-called river-front improvements bond issue, sometimes called the Jefferson memorial, relating to the beautification and improvement of a great expanse of river front on the Missouri River, the tearing down of great numbers of buildings, leaving intact the beautiful cathedral, old in point of history and in point of interest. It was a very important matter for that administration.

The administration of Mayor Dickmann was very anxious to procure the two-thirds vote requisite at the election to authorize the bond issue of seven and one-half million dollars.

On the 7th day of September 1935 Mayor Dickmann, speaking before 4,200 city employees, said he expected them to get out a vote favorable to the river-front improvement bond issue of seven and a half million dollars. He stated:

We will know who is working and who is shirking. There is going to be a check-up on Wednesday.

Which was the day following election.

And I don't mean maybe. No matter who may have recommended any city employee for appointment, if he is not loyal he will be got rid of. I am tired of pussyfooting and backbiting. Only those willing to pull in harness are wanted in this administration.

Three days later, September 10, 1935, occurred the election by which the seven and one-half million dollar bond issue above-mentioned, which, as I have indicated, had been actively sponsored by the Dickmann administration, carried by a vote of 123,299 to 50,713.

The next day there occurred at the city hall a riot in which four persons were slightly injured by bullets, and the coat of Mr. English, whom I have mentioned, was pierced by a bullet.

I now come to July 23, 1936. The St. Louis Post-Dispatch of that date presented first accounts of registration frauds. I call attention to the date, July 22, because it was only 12 days, I believe, before the approaching primary election. The Post-Dispatch presented first accounts of registration frauds, and

for 6 days made additional disclosures, during which period the board of election commissioners failed to take action to remove illegal names from election lists, though on August 4 a primary election was to occur.

About July 28, 7 days before the election, the board of election commissioners decided to recheck the entire registration, which recheck disclosed, before the primary election which was to occur on August 4, 1936, that there were 46,252 names on the registration lists which were "not found," amounting to approximately 11.7 percent of the total registration of the city of St. Louis, or about one out of nine names.

On August 4, 1936, there occurred the primary election. On that day, in the election, Mr. Hannegan was again elected to the Democratic city committee. The Post-Dispatch rechecked after the primary, and found that of some 38,794 persons included in the 46,252 "not found," only 2,648 appeared and requested ballots, and that all of that number except 287 were permitted to vote.

On August 16 or 18, 1936, Mr. Hannegan was again chosen Democratic city chairman. Forty-seven of the fifty-six persons elected on August 4 were Dickmann candidates for the city committee.

I have referred to the river-front improvement bond-issue election of September 10, 1935. The relevancy and importance of that will appear in a moment. On the 8th of September 1936 the Post-Dispatch charged the existence of extensive frauds in the river-front improvement bond-issue election of September 10, 1935, and carried a headline reading "Widespread fraud found in Jefferson memorial bond-issue election."

The frauds asserted to exist were of various types. I shall not take the time to detail them, except to mention a very few illustrative incidents. In two precincts no negative votes were reported by the election officials. In two precincts there were more votes cast, according to the returns, than there were persons registered in those precincts. In one case ballot-box stuffing was admitted by two election officials. Forged signatures were discovered on registration books. Affidavits in all the 19 wards which voted above the necessary two-thirds majority disclosed that the affiants cast more negative votes than there were officially counted. In four precincts of Mr. Hannegan's ward there were shown only 52 negative votes on the official returns, whereas affiants appeared with affidavits indicating that 270 persons had voted in the negative, and 51 other persons who did not make affidavit asserted that they also had voted in the negative. Thus a total of 321, 270 of whom are supported by affidavit, asserted that they had voted in the negative in these four precincts of Mr. Hannegan's ward, although the official returns showed but 52 negative votes.

The Post-Dispatch, in the issue of September 18, 1937, in which it recounted certain history of the period which I have discussed said, referring to the river-front improvement bond issue:

The successful outcome of this election was one of the major goals of Mayor Dickmann's first administration. He spoke re-

peatedly in favor of the issue, and personally urged all city employees to vote for the bond issue and aid in putting it over.

I quote further:

Investigation of the election by the Post-Dispatch showed that in each of the 18 wards returned as giving a vote of more than the necessary two-thirds for the bond issue, and in one other ward, fraudulent returns were made, and "no" votes were not counted as cast.

With this situation existing in the city of St. Louis, a widespread demand arose in that city for the removal of the board of election commissioners. We will find in a moment the attitude which Mr. Hannegan, who had now been restored to the position of the chairman of the Democratic city committee, took upon this widespread demand. We find that on or before September 18, 1936, Mr. Hannegan urged upon Governor Park that the existing members of the board of election commissioners be retained. In the Post-Dispatch of September 18, 1937, the following statement appears:

Telling the frantic efforts of politicians to retain the board, for the good of the Democratic Party, in the face of widespread demands for its removal after exposure of gross election frauds, Governor Park said that one of those who urged its retention was Robert E. Hannegan, chairman of the Democratic city committee and the city's lobbyist at the 1935 session of the legislature.

I should say parenthetically that Governor Park was no longer Governor when he made this statement.

I continue to quote from the statement of Governor Park:

"Hannegan based his appeal on practical politics," the former governor said, "without discussing the merits of the case. He urged me not to fire the board. He said it would be bad for the party and that it would come at a peculiarly inopportune time just before the November election. But I told him the board would have to go."

On September 18, 1936, Governor Park removed the board by telegraph. On the same day the Governor issued a statement from which I quote the following:

In no instances has it been shown that any irregularities in connection with the primary election or with the registration were with the knowledge or consent of any of the election commissioners. A prompt and vigorous investigation by the office of the distinguished circuit attorney of the city of St. Louis, a man with irreproachable public record, and by a grand jury of St. Louis citizens has shown it to be a fact that such violations of the election laws or such irregularities as may have occurred were by appointees of the commission or by individuals over whom it had no control. However, it appears that the commissioners were not diligent in supervising the acts of their appointees, and for this reason I am removing them from office.

Mr. Hannegan continued as chairman of the Democratic city committee from and after his election, which had occurred on either August 16 or 18, 1936, until the 10th day of February, 1942. In the St. Louis Post-Dispatch of March 9, 1942—remember the date, March 9, 1942, because it was shortly after the date on which Senators Truman and Clark had announced their advocacy of Mr. Hannegan for appointment as Collector of Internal Revenue in the city



of St. Louis—there appeared an article on this subject. Under a headline extending clear across the page of the editorial section of the Post-Dispatch is the following:

Ex-Boss Hannegan, who conspired to "steal" the governorship, now is to be rewarded by the President with a \$7,000-a-year job.

In an article published in the St. Louis Post-Dispatch on March 9, 1942, Mr. Curtis A. Betts, whose name appears as its author, who is the State political correspondent of the Post-Dispatch, and who is widely known throughout the State of Missouri by legislators and the general public, said this:

The political history of St. Louis was a sorry one during the 8 years of the Dickmann-Hannegan machine rule. Immediately after Dickmann's first election in 1933, there developed a step-by-step progress toward the building of a machine to rival that of Boss Tom Pendergast of Kansas City, whose debauchery of the ballot and of public officials led to his downfall and his incarceration in the penitentiary.

Even before the colossal blunder of the attempted governorship steal, the public had begun to grow restless under the threat of a machine designed to be more powerful even than Pendergast's. It had seen the machine under Hannegan's chairmanship invade the sanctity of the judiciary, it had seen the machine knife good candidates and place its tools on the Circuit bench. It had known of the heavy padding of election registration lists.

But it was not until the machine's effort in 1940 to place in the Governor's office Lawrence McDaniel, the Dickmann-Hannegan candidate, through a sordid use of political might—the Democratic control of the legislature—that it so far overstepped the bounds of even political decency as to bring down upon it the overwhelming wrath of the voters.

In a few moments I shall have something to say about that wrath.

Early in the campaign for the Democratic nomination for Governor of Missouri in 1940, Senator Allen McReynolds, of Carthage, a man of high standing in Missouri, a well-known lawyer and public figure who served with distinction in the State senate, and as a member of the recent State constitutional convention, invited the support of Messrs. Dickmann, Hannegan, and the citizens of St. Louis on the basis of a fair and impartial discharge of the duties of the office of Governor. On April 13, 1940, Senator McReynolds issued a statement in the course of which he told of what happened following his invitation for their support. Said the Senator:

I was informed by Mayor Dickmann and Mr. Hannegan that they had been unable to obtain the kind of recognition and appointments they desired from the Governor's office in Missouri and in order to cure this situation they would have their own candidate for Governor in the person of Larry McDaniel.

At the primary election of August 1940, Mr. McDaniel was nominated for Governor on the Democratic ticket, and I was nominated on the Republican ticket.

On August 6, 1940, Mr. Hannegan was reelected as committeeman, and on August 20, 1940, he was reelected as chairman of the committee.

That which the Post-Dispatch refers to in the headline as the "Attempt to steal the governorship," to which reference is made in the article from which I have quoted, is one of the outstanding incidents of Missouri history.

I notice that a day or so ago a reference appeared in a Washington, D. C., newspaper to the effect that a political or election dispute in Missouri would possibly be brought before the Senate. I wish to say it is not to be characterized as a political dispute. As I have indicated, it is one of the most important and outstanding incidents in Missouri history, and I venture to say that not a Member of the Senate who is informed about the matter will undertake for an instant to deny the correctness of my statement.

In the issue of the St. Louis Post-Dispatch of January 12, 1941, the following appeared:

The scheme of the Democratic State committee—

By the way, let me say that I have never heard anyone charge that the Post-Dispatch is a Republican newspaper. It is, I understand, an independent newspaper. I think many people feel that it has inclinations toward the Democratic side. It has supported Mr. Roosevelt. It has criticized him at times. But I have yet to hear anyone ever say that either the St. Louis Post-Dispatch or the St. Louis Star-Times was or is a Republican newspaper.

Here is what the Post-Dispatch said on January 12, 1941, right in the midst of this so-called governorship steal:

The scheme of the Democratic State Committee to deprive Governor-elect FORREST C. DONNELL, Republican, of office by means of a partisan legislative investigation of his election and to seat his Democratic opponent, Lawrence McDaniel—

Please listen to this—

has presented probably the most important political problem which has ever arisen in the State.

The legislature's decision early today in support of the scheme establishes a precedent of momentous effect. Never before has an attempt been made to keep out of office the candidate for Governor elected on the face of the official election returns.

The issue is whether a politically constituted legislature may, on the basis of a partisan committee's report of frauds and irregularities in the conduct of an election and without recounting all of the ballots, give the governorship to the candidate shown by the returns to have been defeated.

The basic fact in the governorship situation pending in the legislature is that the Democratic legislature, under pressure from the Democratic State committee, is planning to seat the Democratic candidate for Governor without a full recount of the ballots, notwithstanding the fact that the official election returns showed the Republican candidate elected by a plurality of 3,613.

The election had occurred on November 5, 1940, and the Republican candidate was, according to the official returns, elected by a plurality of 3,613. That was on November 5, 1940. Eight days later there occurred a meeting or gathering of some kind at the DeSoto Hotel, in St. Louis. Mayor Dickmann is

quoted in an article in the Post-Dispatch of January 29, 1941, as follows:

Hannegan called the meeting, as I remember it.

Mr. Hannegan had this to say about it, in the Post-Dispatch of January 30:

I had returned from Hot Springs, Ark., the day prior to the meeting, and learned that Senator Clark and other Democratic leaders were coming to St. Louis, and I decided to have a number of Democrats at a general meeting.

Then there is some other language or reference, which I omit reading, and then appears the following:

No particular Democrats were invited to this gathering or excluded from it. Various Democrats came and left, and during the afternoon I would say that possibly as many as 20 or 25 persons visited the room.

What was the purpose of this meeting? Mayor Dickmann said, as appears in the Post-Dispatch of January 29:

The meeting was to see what steps, if any, should be taken about the governorship.

What was done? Mr. Hannegan said, according to the January 29 issue of the Post-Dispatch:

There were conferences at various times and places—

Please observe carefully that this is his statement published on January 29. The Senate will observe in a moment a further statement which he made on the 30th. This is the statement on the 29th, the day of the issue of the Post-Dispatch in which Mayor Dickmann is quoted as saying:

The meeting was to see what steps, if any, should be taken about the governorship.

Mr. Hannegan said—I quote from the Post-Dispatch:

There were conferences at various times and places and there may have been a meeting at the DeSoto Hotel, at which Hulen decided to make an inquiry as to whether there had been irregularities in the balloting.

All further activity and all decisions as to the form of the inquiry were taken by Hulen and his committee without conference with the St. Louis group.

Mr. Hulen, to whom reference was made, was Mr. C. Marion Hulen, of Moberly, Mo., the then chairman of the Democratic State Committee of Missouri.

On January 30, 1941, the Post-Dispatch further quoted Mr. Hannegan as follows:

At the gathering politics was discussed generally, and in discussing the election just passed all seemed to feel that any investigation was a State committee matter and should be determined and handled by Mr. Hulen and the State committee.

It will be recalled that Mr. Hannegan had stated that he had learned that Senator Clark and other Democratic leaders were coming to St. Louis, and that he had decided to have a number of Democrats at a general meeting. But Senator Clark and Mr. Hulen, according to the Post-Dispatch of January 30, did not reach the hotel until approximately 6:30 p. m. Mr. Clark, to whom reference is made, was Senator Clark, a former Member of this body.



I read from the Post-Dispatch:

The meeting was just a gabfest. I had been in the country and came in late, and nothing was decided while I was there; but it seemed the consensus that there should be an investigation by the State committee. The official vote had not then been tabulated, and everyone thought someone should start collecting evidence. There was no decision at the meeting to contest the election, and I never attended any subsequent meeting at which procedure for a contest was discussed.

Mayor Dickmann said:

We all discussed the situation generally, but nothing was decided while I was there. I was the first to leave.

Charles M. Hay, who was there, said:

It was decided that Marion Hulen would make an inquiry to see if he could gather evidence of fraud. Everyone concurred in the decision that this inquiry should be undertaken. \* \* \* Hulen said emphatically during the conference that he and the State committee would not proceed unless they found convincing evidence. We did not discuss the question of procedure in the event such evidence was found. The matter of seating DONNELL, or the form of any possible contest, was never mentioned. That was handled by Mr. Hulen and the State committee, without seeking my advice.

Attorney General Roy McKittrick was present, and stated to a reporter the following:

I said to Hannegan in particular, "One thing you fellows in St. Louis should consider carefully. If you go into this, you will be the ones who are under the gun. You have a city election in the spring, while we country boys have 2 years to get over it before we have an election." Charlie Hay said something to the same effect.

I may say to the Senate that at approximately 6 o'clock in the evening of May 3 of this year, Mr. Hannegan telephoned me. He declared in the course of a very extended conversation that General McKittrick made no such statement as that credited to him. It is obvious that the statement of General McKittrick is very important.

A plan for an "investigation contest" was developed. Mr. Hulen said on January 29:

I, and I alone, started this. No one else.

Mr. Hulen sent 10 lawyers throughout the State in search of evidence. A State-wide investigation had been in progress under Hulen's direction since the 18th day of November. On the 28th of November Hulen conferred in St. Louis with Dickmann, Hannegan, and others relative to the possibility of contesting the election of Governor. The Globe-Democrat of November 29, 1940, stated:

Hulen stated he will know about the middle of next week the degree of truth in reports of alleged fraud, irregularities, and errors.

On December 30, 1940, the Democratic State committee at Jefferson City, Mo., approved a petition to be presented to the legislature asking the leadership to conduct "a general and sweeping investigation into the vote cast for Governor."

Mr. Hulen, however, did not reveal even to the members of the committee, the detailed evidence which he said had been

gathered by investigators under his direction. Mr. Hulen said:

The State committee—

I invite the attention of Senators to this because it is very important—

proceeded on the assumption that the assembly has authority to conduct an investigation before it issues a gubernatorial certificate of election.

The difference between an investigation, so-called, and a contest, is that an investigation would occur before the seating of the person elected on the face of the returns, and during it the person shown by the returns to be elected would not be seated.

That was the plan determined upon, and Senators will now see what the Supreme Court of Missouri said about a contest. According to the Missouri Supreme Court, under the constitution and laws of Missouri, a contest is a proceeding under which the person elected on the face of the returns would be seated, after which a contest would be filed and determined by the joint assembly of the house and senate.

On January 3, 1941, in St. Louis, Chairman Hannegan told the St. Louis Democratic City Committee that he had a letter from Hulen asking the committee to endorse the plan. On that day, January 3, by a unanimous oral vote the committee passed the resolution it had been asked to adopt. I quote from the Post-Dispatch of March 21, 1941:

Thereafter, Chairman Hannegan was a frequent visitor in Jefferson City. He spent time in the offices occupied by St. Louis representatives and senators, in the legislative halls, and the capitol corridors. His presence was remarked on by out-State legislators.

On the nights of January 7 and 8 a caucus was held of the Democratic members of the house of representatives. The issue before the caucus was whether the procedure to be followed would be that of an investigation under which the Governor-elect on the basis of the returns, would not be seated pending the outcome of the investigation, or that of a contest under which he would be seated, followed by the contest itself. Following presentation by Hulen, 75 of those present in the caucus voted for the investigation and only 7 voted against it. The entire St. Louis delegation voted for the so-called investigation. On the morning or during the day of January 8—I do not know what time—Gov. Lloyd C. Stark, Democrat, said:

I do not care to make any statement, because, as Governor, I feel that I should hold myself aloof in this matter. However, all the able constitutional lawyers I have talked to agree that the duly elected Governor should be seated as required by the constitution, and the contest, if any, then be carried out according to the constitution.

The legislature convened on that same day. I quote from headlines of the Post-Dispatch of January 8, 1941:

Increasing opposition to Democratic Committee's scheme to keep DONNELL (Republican) out of Governor's office. No objection to contest in legal form but lawyers say proposed move is steal.

Governor Stark and Senator McReynolds, Democrats, join Republicans and Independents in contention that speaker of house must declare DONNELL elected. After this, if right to office is challenged, ballot boxes must be opened and votes counted.

The Star-Times of January 14 referred to the fact that on or about the 9th or 10th, Attorney General McKittrick informed the Senators that the ballot boxes would not be opened through purely a legislative investigation and accordingly the so-called contest was filed in the name of James T. Blair, Jr.

Then there was held a joint session of the two bodies of the legislature, which began shortly after 4 p. m., January 10, and lasted until nearly 5 o'clock in the morning of January 11. That session will never be forgotten by anyone who participated in it. The joint assembly adopted joint resolution No. 3, the provisions of which, in substance, were as follows:

First, it constituted a committee of 10 persons, 6 of them Democrats and 4 of them Republicans, empowered—notice the word "empowered"; we will come to that in a moment—to recount all the ballots cast for Governor, to conduct a general investigation; to require the opening of the poll books, tally sheets, and ballot boxes in any of the precincts and counties; the recount to be attended by an equal number of Democrats and Republicans.

The members of the committee, however, consisted of six Democrats and four Republicans.

The second thing in the resolution was that pending the investigation and action of the committee no declaration of election should be made by the speaker of the house of representatives with reference to the office of Governor and that no certificate of election should be issued.

The St. Louis Star-Times, under date line of January 11, the same day on which this all-night session concluded, contained an article under a heading reading:

Solid front vote of St. Louis group factor in contest; Hannegan holds party delegation in line during DONNELL test in assembly.

Under that heading appears this statement:

The large Democratic bloc of St. Louis legislators kept in line throughout the week by the day and night efforts of Robert Hannegan, chairman of the Democratic City Committee of St. Louis was a big factor in the battle that ended in defeat for the FORREST C. DONNELL forces early today.

Mr. President, if you had been in Missouri at that time you would have seen arise a storm of resentment from one end of the State to the other, not confined to Republicans, but embracing thousands upon tens of thousands of fine citizens of that State.

A rather remarkable incident occurred on the very day, the 11th of January, on which this action was taken in the middle of the night. A group of St. Louis women came to Jefferson City, and, bearing a small white casket, filed into the rotunda of the capitol in what they termed a "funeral service for the State constitution."

I call attention now to the empowering provisions. The resolution empowered the committee to make an investigation of all the precincts; it empowered them to recount all the ballots. The Star-Times—and if there is anyone in the Senate Chamber or within the hearing of my voice or anywhere in the United States who will say that the Star-Times is a Republican newspaper, I should like to hear him here and now or at any other time—the Star-Times uncovered a joker in this particular resolution. I quote from the Star-Times:

While the committee has the authority to open all the ballot boxes, its authorization contains a "joker" in that it may make a recount only in those precincts which the committee "may deem necessary"—

A committee not composed of an equal number, but a committee of a partisan group, six Democrats and four Republicans.

Then I desire to call attention to an editorial which appeared in the Star Times on the 11th of January, as I recall, or about that time—and I am quite sure it was the 11th—under the headline "The despoilers":

C. M. Hulen, chairman of the Democratic State committee.

Robert E. Hannegan, chairman of the St. Louis Democratic committee.

James T. Blair, Jr., chairman of the Cole County Democratic committee.

Roy McKittrick, Democrat, attorney general of the State.

Morris E. Osburn, Democrat, speaker of the house of representatives.

Democratic senators and representatives, with a few honorable exceptions, members of the sixty-first general assembly.

Look them over! These are the politicians who play leading parts in the plot to deny an election certificate to FORREST C. DONNELL, Republican, chosen Governor of the State on the basis of official returns.

These are the political schemers guilty of a most shameful perversion of power for partisan purposes this State has known since it entered the Union in 1820.

Hulen filed the request in behalf of the Democratic State committee, for a "legislative" investigation of the returns.

Hannegan whipped into line the St. Louis legislative delegation (solidly Democratic) to support Hulen's plea. Blair filed a petition for a "contest" when it became evident that not even the overwhelming Democratic majority would support the Hulen-Hannegan strategy unless a "contest," as well as an "investigation" was asked.

McKittrick gave the Democrats a technical legal opinion advising them that their conduct was legal—

By the way we shall see again what the supreme court of the State said about that—

though the constitution nowhere says that a Governor-elect may be kept out of office pending legislative inquiries of any kind.

Osburn, as speaker of the house, complied with the Democratic caucus plans and overruled Republican motions that he declare DONNELL elected.

The Democratic legislators of the rank and file, with only a few dissenters, voted repeatedly to uphold Osburn's rulings and voted, in the end, to bar Governor-elect DONNELL from office until a Democrat-dominated committee should make its "investigation" and conduct the Blair "contest."

Look them over again! These are the men who bear responsibility for denying inauguration to a governor-elect, as shown by of-

ficial returns, for the first time in Missouri's history.

These are the election grabbers, the unscrupulous partisans, against whose ruthlessness the only hope at this time is the State supreme court.

I might mention at this point the State supreme court consisted of seven Democratic judges. I shall come to that in a moment.

The Globe-Democrat of January 14, 4 days after this all-night meeting, referred to the principle of bipartisan supervision of election procedure.

By the way, I think, in fairness, I should say that, while the Globe-Democrat is an independent newspaper, I think it is generally considered—I certainly personally so consider it—as having very strong Republican leanings. Its history is Republican, and, in my judgment, it is properly to be considered an independent newspaper with strong Republican leanings, whereas the Post-Dispatch and the Star-Times are exactly the contrary.

Quoting now from the Globe-Democrat:

In the plans to contest the recent election for Governor of this State that principle—

Referring to the principle of bipartisan supervision of election procedure—

that principle is dumped into the ash can by the Democratic majority of the State legislature. It has appointed a partisan committee to conduct the investigation and contest of that election, a committee of six Democrats and four Republicans, and this committee in its first action completely ignores its Republican members, indicating very clearly that they will be permitted to have no actual part in its subsequent proceedings.

There should be a general and vehement demand by the people of Missouri that, since a contest has been decided upon, however unsavory the means of that decision, it should be conducted by a genuinely bipartisan committee; that it should be thorough, fair, complete. Unless the supreme court acts to stop this procedure, only the people can prevent the consummation of a heinous crime against their rights, against the fairness of elections, which is a fundamental principle of democracy.

In the Post-Dispatch of January 15, 1941, the day after the editorial in the Globe-Democrat, appeared this:

Hannegan, who is definitely opposed to the seating of DONNELL pending the investigation, was in Jefferson City while the legislature was deciding to initiate the vote inquiry and to prevent the inauguration. His duty reportedly was to hold the St. Louis delegation in line with the inquiry plan. He was able to do so with the exception of State Senator Michael J. Kinney, who voted against the Democratic machine.

In the Star-Times of about January 11—I cannot make out the exact date in the photostat—"referring to the plan to keep DONNELL out instead of inaugurating him on January 13," the editorial states—and remember, this is the Star-Times, and I repeat for the benefit of those who may not have been present when I started, the Star-Times has never been accused of being Republican—

Never before in the history of the State has a political party attempted this particular version of election thievery. It is a new low, reaching depths of political degradation unplumbed even in Tom Pendergast's heyday.

On January 13 all officers elected on November 5 were inaugurated except the Governor. Several things happened the same day. Senator Searcy, chairman of the investigating committee, said he did not see how it would be possible for the investigating committee to count all the ballots in the State. On the same day, instead of the person who had been elected Governor on the face of the returns being inaugurated, that individual, who happened to be myself, filed in the Supreme Court of Missouri a mandamus suit against the speaker of the house of representatives to compel him to open and publish the election returns for the office of Governor, and to declare elected the person who received the highest number of votes.

Then Mr. Hannegan issued a statement on January 15, in which he—

(a) Denied the charge that certain Democratic leaders are engaged in a deliberate attempt to steal the governorship.

(b) Charged the lavish and extravagant use of money, both in violation of law and common decency.

Meaning by the Republicans.

(c) Asserted that charges of fraud and irregularities came from all sections of the State.

(d) Stated that the results of an investigation conducted by Mr. Hulen "were of such a nature that the State committee voted unanimously to request the legislature to make a thorough investigation to the end that the full facts might be brought to light."

We will see in a few minutes, by the way, what were the results of the investigation.

Now listen to this. This contains a quotation from Mr. Hannegan.

(e) Stated that "It was the opinion of the State chairman"—

That is, Hulen—

"It was the opinion of the State chairman then and now, in which opinion I heartily concur, that this inquiry not only could, but should be made prior to the issuance of a certificate of election to Mr. DONNELL.

(f) Expressed himself as "somewhat surprised that Mr. DONNELL himself desires to be seated as Governor until the charges made are investigated and determined."

(g) Stated, "I heartily join in the request that all the ballots cast for Governor be recounted and that this be done as quickly and economically as possible and in the presence of equal representation from both political parties and then whoever is shown to have received the highest number of legal votes should be seated as governor."

The Post-Dispatch printed this extensive statement, and, by the way, I ask unanimous consent that at this point in my remarks the entire article in the Post Dispatch be printed in the RECORD.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:



**CITY DEMOCRATIC LEADER WOULD ALLAY SUSPICION OF UNFAIRNESS—CIRCUIT CLERK H. SAM PRIEST AND DR. R. EMMET KANE, LEADER OF ANTI-DICKMANN FACTION, URGE SEATING DONNELL**

Chairman Robert E. Hannegan of the Democratic city committee today joined the rapidly growing ranks of Democrats who say they favor nothing short of a full recount of ballots in the legislative investigation of the vote for Governor. To allay any suspicion of an unfair inquiry, Hannegan said he strongly favors the counting of ballots even in precincts in which the correctness of the count is unquestioned by either party.

Hannegan's statement today follows the declaration yesterday by Congressman JOHN J. COCHRAN that he favors not only a complete recount of all the ballots cast but also the immediate seating of the Governor-elect, Republican FORREST C. DONNELL.

Today Circuit Clerk H. Sam Priest and Dr. R. Emmet Kane, leaders of the anti-Dickmann faction of the local Democratic Party, joined in COCHRAN's stand. Hannegan is Mayor Dickmann's right-hand man in the administration of the local Democratic machine.

Priest's full statement follows:

"I have been asked for a statement of my position in the controversy over the governorship.

"It is my personal opinion that the best interests of the State of Missouri and the Democratic Party as well call for the counting of all the ballots cast for Governor in the last election, if contest proceedings are to be continued. Such a recount should be under a committee or board on which both parties will have equal representation.

"Since there seems to be no doubt that the official returns as transmitted to the legislature by the secretary of state give Mr. DONNELL a majority of the votes, he should be seated and allowed to act as Governor until such time as a final outcome of the contest may indicate otherwise."

#### ROLE IN ADOPTING SCHEME

Hannegan, who is definitely opposed to the seating of DONNELL pending the investigation, was in Jefferson City while the legislature was deciding to initiate the vote inquiry and to prevent the inauguration. His duty reportedly was to hold the St. Louis delegation in line with the inquiry plan. He was able to do so with the exception of State Senator Michael J. Kinney, who voted against the Democratic machine.

It was reported behind the scenes in Jefferson City that many of the Democratic leaders who said they were in favor of a full recount of all ballots were secretly opposed to it and planned to stop it when necessary. As finally drafted and passed, the resolution naming the predominantly Democratic investigating committee gave it power to select specific precincts for its vote recount.

Hannegan told the Post-Dispatch he had nothing to do with this resolution and insisted that, while he spoke to the St. Louis delegation, he gave them no instructions. In a formal statement, he denounced as "plain, deliberate falsehoods" the assertions of Republican leaders that "certain Democratic leaders are engaged in a deliberate attempt to steal the governorship."

#### TEXT OF STATEMENT

His statement follows:

"I want to say in plain, clear language that the charges repeatedly made by Republican leaders and by some of the press that certain Democratic leaders are engaged in a deliberate attempt to steal the governorship are plain, deliberate falsehoods.

"Everyone who took part in the last campaign knew then and knows now that there never was, in the history of this State, such a lavish and extravagant use of money, both in violation of law or common decency. Since the election, the Republican organizations

have admitted spending the unprecedented amount of approximately one-half million dollars and I think the evidence will show that they spent much more than that amount.

"It was not surprising, therefore, that immediately following the election, there came to the Democratic State committee from all sections of the State charges of fraud and irregularities, charges that were too serious to be ignored, particularly so in view of the fact that the published returns showed a difference of only .0019 of 1 percent of the votes cast for Governor.

"The chairman of the Democratic State committee, Marion Hulen, the proud possessor of a reputation for unquestioned honesty and integrity, conducted an extensive investigation and the results of the investigation were of such a nature that the State committee voted unanimously to request the legislature to make a thorough investigation to the end that the full facts might be brought to light.

#### "CALLS SEATING UNJUST

"It was the opinion of the State chairman then and now, in which opinion I heartily concur, that this inquiry not only could, but should be made prior to the issuance of a certificate of election to Mr. DONNELL. I can see how there might be a difference of opinion as to what the letter of the law provides, but there certainly can be no difference of opinion as to the spirit of the law. To place a man whose right to the governorship is challenged and on trial by members of a legislature in the Governor's chair would be a contravene sense of justice.

"The Republicans claim they want a fair investigation. If that is actually so, how can they demand that while the investigation is pending the vitally interested party should be occupying the powerful position of Governor. These Republican leaders manifestly want to force DONNELL into the governorship whether he has been legally and honestly elected Governor or not. Certainly, if DONNELL should be seated as Governor while such an investigation is pending, every single official act of his would be under a cloud of suspicion. I am somewhat surprised that Mr. DONNELL himself desires to be seated as Governor until the charges made are investigated and determined.

"I heartily join in the request that all of the ballots cast for Governor be recounted and that this be done as quickly and economically as humanly possible and in the presence of equal representation from both political parties and then whoever is shown to have received the highest number of legal votes should be seated as Governor. If it should prove to be the Republican candidate, I will congratulate him and then join in the request that he be seated."

#### \* COCHRAN'S POSITION

In coming out for the seating of DONNELL, Congressman COCHRAN said that "unless the will of the people is carried out, there will be a break-down in our form of government." He said every ballot box should be opened to determine the people's choice and that the investigating committee should be composed equally of Democrats and Republicans. The committee selected is made up of six Democrats and four Republicans.

Priest also said the committee should be balanced between the two parties, and added: "Since there seems to be no doubt that the official returns as transmitted to the legislature by the secretary of state give Mr. DONNELL a majority of the votes, he should be seated and allowed to act as governor until such time as a final outcome of the contest may show otherwise."

#### DR. KANE'S COMMENT

Dr. Kane, commenting on equal representation in the proposed recount of the ballots, said that regardless of the method used in

that process the final decision would be made ruthlessly by a partisan legislature.

Approving Congressman COCHRAN's statement, Dr. Kane said:

"That COCHRAN is right in holding DONNELL should be now in the Governor's chair there is absolutely no doubt. No word juggling of Chairman Robert E. Hannegan or any other political sleight-of-hand artist will convince any sane person who knows the meaning of simple English words that the constitution of Missouri is being followed by the Democratic majority in our legislature."

#### PIECE OF BANDITRY

Members of the legislature who voted to deprive DONNELL of office during the investigation are "a disgrace to public life and ought to be driven out of it," he asserted. "It is evident from the piece of banditry certain legislators have taken that the oath of office they took to respect the constitution means nothing to them. As a Democrat I believe they have outrageously disgraced my party."

Dr. Kane suggested that Hannegan's statement criticising lavish use of money in the campaign ought to lead to opening of the books of the Public Employees' Welfare Association, a city hall organization generally supposed to devote much of its members' dues to campaign purposes.

"The machine of which Hannegan is an integral part," Dr. Kane continued, "has at last gone too far in its arrogant disregard of the rights of the people. If my advice means anything to the local Democratic Party, it will clean house, and clean it thoroughly, before April. If it does not, the Democrats will not only see a Republican Governor in Jefferson City, but they will greet a Republican mayor in city hall as well."

#### SO MUCH SUSPICION

Elaborating on his formal statement, Hannegan told the Post-Dispatch he believed the resolution as introduced was reasonable giving the committee authority to choose questionable precincts for the recount, but that there is so much suspicion that it would be best to go into every box.

"There isn't one member of the legislature whom I asked to vote for anything," he continued. "When the debates over the investigation were in progress in the house, and in the senate, I was in bed listening to them over the radio and reading the Life of Andrew Jackson."

He defended the unequal membership on the committee. "If the investigating group were equally divided," he said, "the Republicans would vote along party lines and we wouldn't get anywhere at all. There would be two reports brought in, and the committee would tie on all votes. They would never agree on how and where they were to start, and how they would proceed."

Asked if a predominantly Democratic committee could not ride roughshod over the Republicans in arriving at vote totals in recounting the ballots, and in throwing out more Republican votes than Democratic ones, Hannegan replied: "Oh, no, they wouldn't dare to do that; they could never return and face their own party members in the legislature. Besides, the press and the public will be able to attend all the committee's hearings, as I understand it."

Mr. DONNELL. Mr. President, the article stated:

Elaborating on his formal statement Hannegan told the Post-Dispatch he believed the resolution as introduced—

That is, Resolution No. 3—

was "reasonable," giving the committee authority to choose questionable precincts for the recount, but there is "so much suspicion" that it would be best to go into every box.

I still quote from this article:

"There isn't one member of the legislature whom I asked to vote for anything," he continued, "when the debates over the investigation were in progress in the House, and in the Senate, I was in bed listening to them over the radio and reading *The Life of Andrew Jackson*."

"He defended the unequal membership of the committee."

This is still reading from the Post article quoting his statement:

"If the investigating group were equally divided," he said, "the Republicans would vote along party lines and we wouldn't get anywhere at all. There would be two reports brought in, and the committee would tie on all votes. They would never agree on how and where they were to start, and how they would proceed."

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Then, on the afternoon of the same day, January 15, 2 days after the suit was filed by me against the speaker of the house of representatives to require him to declare me elected, Governor Stark, the Democratic Governor of Missouri, cast a bombshell which startled the State from one end to the other. Although he was a Democrat, he vetoed Joint Resolution No. 3, the one which had authorized the investigation, and in part the grounds of his veto were three. I quote:

First. The resolution as framed is so written as to permit the legislative committee in its discretion to open part or all of the ballot boxes and to conduct a partial or complete investigation.

Second. I cannot approve a resolution which provides for a partisan set-up in this contest. The legislative committee of the general assembly should be bipartisan and have an equal representation of members from both political parties.

Third. I disapprove of the final paragraph in said Joint Resolution No. 3, which provides that no declaration of election be made by the Speaker of the House of Representatives and no certificate of election be issued.

Listen to this. Governor Stark in his veto said:

Leaving out of consideration any discussion of the constitutional problems—

I digress to say again that the Supreme Court takes care of that, as I shall show in a few minutes—

which is now out of my hands, I am of the opinion that the principles of good government and fair play dictate that the candidate receiving the highest number of votes on the returns published by the secretary of state should be seated, and the contest proceed in a legal and proper manner.

Two days later, after this veto, the *Star-Times*, in the issue of January 17, pointed out that Mr. Hulen was hastening to repair the party lines which suffered as a result of Governor Stark's veto. The *Star-Times* says:

Hulen was not alone in his efforts. Robert Hannegan, St. Louis lawyer and chair-

man of the Democratic city committee, took time off to engage in conversation with members of the St. Louis delegation to the legislature at the capitol yesterday.

With the exception of State Senator Michael Kenney, who approves Governor Stark's veto of the resolution for the gubernatorial contest, the St. Louis lines seem to be holding fast, at least that was the opinion of Representative David A. Hess, who was madder than a hornet at the Governor's action.

Then there was something about the extent of this affair in Missouri at that time. It is very difficult to give Senators an idea of the situation, we are so far removed from it, it having occurred 4 years ago.

I call attention to the fact that the Post-Dispatch on January 15 stated:

Donnell dispute makes page 1 in many cities.

And mention is made of New York, Washington, Philadelphia, Detroit, Los Angeles, Minneapolis, New Orleans, Dallas, Louisville, Pittsburgh, News Week, as referring to this matter, some of them on the front pages, it is said.

Then the article continues:

Daily reports of the Missouri situation have been distributed by wire throughout the Nation all week by the Associated Press, the United Press, and the International News Service. The A. P. has averaged about 1,000 words daily.

On January 18, the Post-Dispatch headline from Jefferson City was as follows:

Protests Against Donnell "Inquiry" Flood Legislators' Offices by Wire and Mail from Voters Back Home.

In the body of the article appeared this statement:

The ever-increasing flood of messages comes by telegraph, telephone, and in post-cards and letters. Many, from persons who say they are Democrats, but voted for DONNELL in November, demand that he be permitted to take the office to which he was elected by 3,613 votes on the face of the official returns.

On the 21st, the Post-Dispatch, under a heading—  
Stark—

That is Governor Stark—  
gets 1,500 messages praising veto, denouncing Donnell inquiry.

This language occurs in the body:

A heaping mass of letters, postal cards, and telegrams condemning the Democratic majority in the legislature for keeping Governor-elect FORREST C. DONNELL out of office and praising hold-over Governor Lloyd C. Stark for his veto of the assembly's joint resolution, was on display in the Governor's office today. \* \* \*

The communications numbered 1,500 or more, and many of them were signed by more than one person, the number of signatures in some cases being as high as 50.

While there may be in the pile some letters criticizing the Governor for his veto examinations of several hundred did not disclose one such.

On the 15th of January the *Star-Times* had a headline:

"Wave of protests by citizens rises over barring DONNELL."

On January 25 on application of myself, the legislative investigating com-

mittee was halted by a preliminary writ of prohibition issued by the Missouri Supreme Court en banc from opening, recanvassing, and recounting the ballots.

On the same day, the 25th, there appeared in the Post-Dispatch an Associated Press wirephoto of one Clark G. Hardiman, secretary of the Jeffersonians, successor of the St. Louis Democrats-for-Willkie Club, with a stack of petitions before him signed by about 14,000 voters, urging the legislature to seat Governor-elect DONNELL.

On January 25 the Post-Dispatch reporter asked various questions of Mayor Dickmann, among other this:

It is true, is it not, mayor, that you are the active head of the Democratic party in St. Louis, and it is true, is it not, that your organization supports the deal to seat McDaniel?

The heading of the article is—

Dodges questions in Post-Dispatch.

And in the body is this:

Modestly, the mayor referred to Robert E. Hannegan, chairman of the democratic city committee, "he's the real head of the party in St. Louis and not the mayor."

On January 26, while all this mass of resentment was flooding the State of Missouri from one end to the other, there occurred a conference at the Coronado Hotel in St. Louis which was attended by Charles M. Hay, Mr. Hannegan, Mr. Hulen, Mr. McDaniel, and two or three figures whose names the Senate has not heard, Mr. Lauf, Mr. Searcy, and Mr. Blair.

On the 28th Mr. Hay gave out a statement in which he told of having, on January 23, made the suggestion to Senator Searcy that it would in his (Mr. Hay's judgment) be wise to seat DONNELL and then proceed with the matter. In his statement he said that the conference of Sunday at the Coronado Hotel was called to discuss this suggestion. He said that after considerable discussion the view prevailed that inasmuch as the prohibition suit had been filed, and in view of the fact that the whole matter of the validity of the proceedings would be determined by the Supreme Court within a few days, nothing should be done to disturb that situation.

Then the Post-Dispatch of January 28 says this:

Chairman Hannegan also was advised of Hay's statement and asked for his comment.

And this is his comment:

"I have already stated where I stand on this whole matter and I see no reason to change that stand," he replied.

Then the newspaper proceeds:

He referred to a statement published by the Post-Dispatch in which he took the position that DONNELL should have no desire to be seated and should not be seated until an investigation should determine who had been elected legally.

And further commenting in the *Star-Times* Hannegan said this:

I have already issued a statement as to my views and those are still my views. I am surprised that Mr. DONNELL is continuing to put obstacles in the way of a speedy disposal of the matter. By obstacles I refer to his suit before the Missouri Supreme Court



and his threat to take the matter to the Federal court or even to the United States Supreme Court. My position was and still is that I think all the ballots should be counted as quickly as is humanly possible, that they should be counted by a committee which gives equal representation to both sides, that both McDaniel and DONNELL should stand aside until the matter is settled, leaving Stark as Governor.

Statements in the newspapers that the organization in St. Louis wants McDaniel seated to gain control of the police and election boards are not true. Mayor Dickmann won his election in 1937 by 55,000 votes with the Charles P. Williams election board in control. I have said that if I were in a position to make recommendations that I would recommend that Gov. Stark's police and election board appointees be retained."

On January 29, the Star-Times, referring to the Coronado Hotel conference of January 26, said:

At this conference Hay repeated his suggestion to seat DONNELL and then proceed with the contest. Hulen immediately made it plain he would not back down on the contest procedure barring DONNELL from office.

Searcy said, "As far as I am concerned, I'll never vote to seat DONNELL."

Lauf chimed in, "I know that the house will never vote to seat DONNELL."

Hannegan then interposed, "Well, it looks like the conference is over."

However, Hay insisted on further discussions but failed to break down opposition to his proposal. He suggested that if his advice were followed, it might serve to "take the heat off" of the St. Louis Democratic organization in the municipal election next spring when Mayor Bernard F. Dickmann will be up for reelection.

But Searcy, Lauf, and other sponsors of the contest asserted their plans had been carried too far to back down now, regardless of the effect on the St. Louis Democrats in the city election.

Hannegan agreed with this view. "Don't worry about the St. Louis situation," he said, "We'll be able to take care of it."

We are approaching the end of this story. On January 29, after referring to the absence of order from Dickmann and Hannegan to the St. Louis legislators to switch their positions, the Post-Dispatch said:

Several of the St. Louis Representatives, having been among the loudest advocates of the plan to place the defeated Lawrence McDaniel in the Governor's office, on the theory that it would not only save the Democrats their jobs but would contribute materially in strengthening the party machine, gave evidence that they were disturbed over the prospect of receiving the orders which would force them to abandon their stand.

But, in the absence of orders, or in the uncertainty of whether they would be issued the St. Louis group held their lines yesterday afternoon in the House Democratic caucus.

Then the Post-Dispatch of the 18th said:

In every legislative step taken in the stop DONNELL campaign, the 19 St. Louis representatives and 5 of the 6 St. Louis senators have voted with the State Democratic machine and on several occasions there have been bitter exchanges in debate between individual St. Louis representatives and opponents of the committee's scheme.

Mr. President, I shall say a few words now with regard to Hulen's evidence. In the Star-Times of January 17, 1941, it was stated that some of the evidence gathered by the investigating staff of 10

lawyers had already been disclosed to representatives and senators in a series of closed meetings.

In the Star-Times of January 30, however, occurred this language:

The smattering of evidence which Hulen presented to the legislators puzzled even the most astute veterans.

In the article of January 30, 1941, it is also stated:

But what Hulen, Moberly attorney and indefatigable party worker, has found in two months of searching for election irregularities remains a deep secret.

Except for a broad outline as to the nature of the supposed irregularities at the polls, the fraud evidence was a secret to the members of the Democratic State committee when on December 30 it met and authorized a contest of the election of FORREST C. DONNELL; it was still a secret when Democratic legislators in house and senate caucuses heard Hulen and decided to go ahead with the plan to keep DONNELL out of office, and it remained a secret when the ill-starred contest committee was created at the historic all-night session of the joint assembly of the legislature January 10.

From a news account in the Post-Dispatch of February 12, 1941, it appeared that Representative Lowry, of Cape Girardeau County, estimated that petitions signed by at least 100,000 voters to protest against the legislature's failure to seat DONNELL, had been presented to the house of representatives.

Then came the decision of the supreme court on February 19. As I have already said, all seven members of the supreme court were democratic judges. The decision is reported under the heading of *Ex. rel. Donnell v. Osburn* (147 S. W. 2, 1065). The entire decision was unanimous.

1. Order the issuance of peremptory writ of mandamus.

2. Decided that the speaker of the house should declare the election of FORREST C. DONNELL.

3. We held official returns to be prima facie evidence of election and good until proven otherwise by contest in *State ex rel. Attorney General v. Vail* (53 Mo. 97).

4. The argument of the speaker, the joint assembly may go behind the face of the returns and exercise judicial powers to determine the legal votes before the winner is declared according to the face of the returns, is obviously untenable.

5. The action of the joint assembly directing the speaker to make no declaration with reference to the office of Governor is contrary to the affirmative duty placed upon him by section 3, and is void. In our Government the origin of all political power is vested in and derived from the people; it is a government of laws, not of men.

Seven days later occurred the inauguration of the Governor, after a delay of 44 days. A legal contest was then instituted on March 4 by Mr. McDaniel, the recount progressed, and on May 21 the contest was dismissed by Mr. McDaniel. In the course of his letter to State Senator Donnelly, who was later Governor of Missouri, he said:

I received information from varied sources that in virtually every precinct of the State a large number of votes had been counted for my opponent to which I was justly entitled, and a large number of additional ballots had not been counted for either of

us to which I was entitled. These reports were "greatly exaggerated."

I confess freely and frankly that the ballot boxes opened in Missouri in the gubernatorial contest to date have convinced me beyond question of doubt that Gov. FORREST C. DONNELL was elected.

In the Star-Times, adjacent to Mr. McDaniel's letter, is a photograph of Mr. Hulen carrying a brief case. Below the picture are these words:

Frequent sight in legislative halls was C. Marion Hulen, above, chairman of the Democratic State Committee, with the brief case [indicated by arrow] that he said contained evidence that would make Lawrence McDaniel Governor. But the evidence never showed up.

The Post-Dispatch article of the 21st of May contained the following statement:

McDaniel's decision had been expected for at least 2 weeks, the recount of ballots having consistently shown gains by DONNELL above the official count as reported by election officials to the secretary of state, which showed that DONNELL had a plurality of 3,613 in the State. A recount of about half the 1,820,000 ballots in the election had increased DONNELL's plurality to about 7,000, and there was nothing to indicate that McDaniel would show any gains in the remainder.

The indications were that final official returns would show DONNELL's plurality to have been nearly 10,000.

This was May 21; but in the meantime something very significant occurred. On April 1, 1941, 5 weeks after the inauguration of a new Governor, and 6 weeks after the decision of the Supreme Court, there occurred a city election in the city of St. Louis, and William Dee Becker, Republican, defeated Bernard Dickmann by a plurality of 35,684, whereas 4 years previously Mr. Dickmann had been elected by a plurality of 48,170. In November 1940, Mr. Roosevelt had carried the city of St. Louis by 65,173 plurality. So we find this reverse in the situation, the Republicans carrying the city by 35,000 in the April election, after all these happenings, whereas 4 years before Dickmann, a Democrat, had carried it by 48,000.

Mr. Hannegan continued as city chairman until February 10, 1942. Then he resigned as city chairman. Early in 1942 Senator Clark and Senator Truman recommended that the President approve Mr. Hannegan as Collector of Internal Revenue.

Then came the edition of the Post-Dispatch of which I spoke, of March 9, 1942, with the headline:

Ex-boss Hannegan, who conspired to "steal" the governorship, now is to be rewarded by the President with a \$7,000-a-year job.

There were long articles, cartoons, pictures, and various statements, showing the "Ghost Voters Club", and quoting Attorney General Roy McKittrick at the DeSoto Hotel meeting on November 13, 1940, when he said:

One thing you fellows in St. Louis should consider carefully. If you go into this, you will be the ones under the gun. You city fellows have a city election in the spring—

They certainly did—  
while we country boys will have 2 years to get over it before we have an election.

I shall ask unanimous consent that this entire document be printed in the RECORD later in my remarks.

Mr. HILL. Mr. President, does that include the cartoons?

Mr. DONNELL. Not the cartoons. I can describe the cartoons. They show Mr. Hannegan with the label "Hannegan for collector," being pulled out of the governorship steal, and there are various pictures.

The PRESIDING OFFICER. Without objection, the matter referred to may be printed as requested.

Mr. DONNELL. Mr. President, I wish to call attention very briefly to certain important comments from citizens of St. Louis, under the heading "What St. Louisans think of job for Hannegan."

Herewith are the replies of St. Louisans who were asked by the Post-Dispatch to comment on the Missouri Senators'—

#### Senators Truman and Clark—

selection of Robert E. Hannegan for Presidential appointment as collector of internal revenue at St. Louis.

Former Governor Henry S. Caulfield, now director of public welfare of St. Louis:

"I agree with your courageous editorial against the appointment of Hannegan. In this dread time when men and women are striving for national unity and for faith that our President is a leader raised by patriotism high above partisan politics, it would be a distinct let down, a grievous shock, for him to make this sordid machine appointment.

"The people's opinion of the Dickmann-Hannegan machine was registered at the last election. To make this appointment would flout the people and array the President on the side against good government. The Post-Dispatch is rendering a valiant service in bringing the truth home to him."

Mrs. George Gellborn, former president of the League of Women Voters:

"The Post-Dispatch editorial on the Hannegan appointment throws the floodlight on a sorry situation long recognized by some of us, the people. 'Find a job for the man,' say Missouri's Senators, following the outdated patronage system. So they nominate Mr. Hannegan for the position of collector of internal revenue. But we the people voted against Mr. Hannegan and patronage last September 16, when we passed the civil-service amendment to the St. Louis charter. The people voted for merit, the people voted to find the man for the job, not the job for the man. Too bad that the merit system in the Federal civil service does not apply to the purely administrative post of collector of internal revenue. Too bad that such posts are dependent on Senate confirmation. Too bad that for reasons we can only surmise Missouri's Senators have found it expedient to nominate Mr. Hannegan. Perhaps they need to hear more from us, the people, who are fighting to preserve democracy on every front, including the home front. Perhaps the President will invite Senators Clark and Truman to withdraw the nomination of Mr. Hannegan, or, better yet, perhaps Mr. Hannegan will withdraw himself."

J. A. McClain, dean of the law school, Washington University:

"Appointments to the position of Internal Revenue Collector, as has been true of other important Federal posts, have traditionally been treated by Democrats and Republicans alike as political plums. Little else can be expected so long as the patronage system remains entrenched in Federal, State, and local Government. The basic fault, as the Post-Dispatch has repeatedly emphasized, lies in our failure to insist that merit and ability to do the job constitutes the sole considera-

tion. This basic handicap is one of the greatest threats to the survival of democracy."

George R. Throop, chancellor of Washington University, which is one of the largest educational institutions in the State, the one of which former Gov. Herbert S. Hadley once was chancellor, is quoted as follows:

I agree completely with statement contained in your telegram regarding appointment of Robert E. Hannegan. (The telegram sent to Dr. Throop contained excerpts from a Post-Dispatch editorial published Sunday. This editorial is reprinted today on the editorial page.)

Dr. R. Emmett Kane—one of the leading Democrats of St. Louis, I think—is quoted as follows:

I am in complete agreement with the efforts of the Post-Dispatch to prevent the appointment of Hannegan to the collector's post. Supporters of good government defeated the political machine which bore his name and which was directed by him. Good government now demands that neither he nor Dickmann be rewarded by lucrative appointive offices after their repudiation by their fellow townsmen.

I may say that Mr. Dickmann is now the postmaster of St. Louis.

I quote further from the article:

Truman and Clark will hang a millstone about the neck of their party in St. Louis if they force this appointment. All of these men should be grateful to the party which has done so much for them. They should not crucify it.

Rabbi F. M. Isserman, Temple Israel, is quoted as follows:

Hannegan's political leadership has been repudiated by the voters of the Democratic Party. To appoint him now to high public office would be to flout public opinion. The collectorship of Internal Revenue should be filled by a man who holds the confidence and respect of the community. It should not be a political plum handed out to repay political favors. When Senators recommend repudiated political leaders for high office they place personal interest above public welfare and their recommendations should be ignored. I hope that President Roosevelt will recognize that the citizens of this area disapprove of Mr. Hannegan's appointment.

Mrs. George Roudebush, president of the League of Women Voters, is quoted as follows:

Wholeheartedly concur in opposing Hannegan's appointment. Now, when Government is extending in many directions, it is more than ever necessary that its functions be administered honestly and efficiently. No man under whose dictatorship a political machine seized and dispensed spoils with utter disregard for community welfare can be considered fit to fill an office for which the prime requisite is honest concern that the public be honestly served. It is deplorable that this type of administrative post remains outside civil service and thus a party plum. If Senators Truman and Clark continue to support Hannegan, they will flout the judgment of thousands of St. Louis voters.

There are three short paragraphs more. One is a quotation of a statement by Mrs. Luella B. Sayman, a former member of the St. Louis Housing Authority:

The pending appointment of a new internal-revenue collector at St. Louis would

seem to furnish definite proof of the importance of including this responsible public office under the Federal merit system in preference to the present patronage method of appointment by favor. The fitness of the individual for the job is unquestionably the all-important point and should be the determining factor in selecting the new appointee, regardless of political services or affiliation.

Mrs. Jerome E. Cook, author of *Boot Hill Doctor* and other novels, is quoted as follows:

Now as never before we, the people, need to have confidence in our officials, above all in their loyalty to public welfare. I believe the Post-Dispatch is correct in declaring that a man whose record the voters have indignantly repudiated should not be rewarded by a valuable appointment. Senators Clark and Truman must be reminded of the indignation of their fellow Missourians. We want a man recommended because of his record, not despite it. To do otherwise is to damage public faith.

Finally, Mrs. Virgil Lewis, a leader in civic affairs and defense activities, and she is so described in the article, is quoted as follows:

St. Louis citizens in the April election clearly demonstrated that they believed in the doctrine of party responsibility. If Senators Clark and Truman fail to recognize what a political liability the appointment of Mr. Hannegan would be to the Democratic Party, they appear to be very unimaginative traders of political commodities. But the public cannot evade its responsibility for such a situation by raging against it or even voting against it at intervals. So long as we retain the antiquated system of requiring the President to appoint hundreds of administrative officials, such as United States marshals, collectors of customs, and collectors of internal revenue, subject to confirmation by the Senate, we turn these jobs over to the spoilsmen.

Mr. President, I have already obtained unanimous consent to have the article printed in the RECORD, and I desire to have it printed including the excerpts from statements made by various citizens.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Without objection, it is so ordered.

(The article is as follows:)

EX-BOSS HANNEGAN, WHO CONSPIRED TO "STEAL" THE GOVERNORSHIP, NOW IS TO BE REWARDED BY THE PRESIDENT WITH A \$7,000-A-YEAR JOB—APPOINTMENT AS COLLECTOR OF INTERNAL REVENUE SLATED TO GO TO SENATE FOR CONFIRMATION THIS WEEK—SPONSORED BY BENNETT CLARK, WHO ALSO WAS IN ON THE "DEAL"—ANOTHER EXAMPLE OF THE POLITICAL HAND-OUT AS RESULT OF PRESSURE TO SERVE PARTY AND KEEP MACHINE INTACT—AGAIN THE STORY OF THE GOVERNORSHIP STEAL AND THE IMPORTANT PART HANNEGAN PLAYED IN IT—HOW THE PEOPLE KICKED DICKMANN OUT—HOW THE PRESIDENT IS ABOUT TO PUT HANNEGAN IN

(By Curtis A. Betts)

One of the curious inconsistencies of life in democratic America is the blind and unreasoning loyalty to party which so frequently takes precedence over loyalty to the public interest and, in many instances, loyalty to public decency.

Hoary tradition dictates that the rich political plums shall go to those who have served the party, regardless of any question of service to the public. The politician whom a Senator endorses, a President must appoint and the Senate confirm. Simply because of



that custom, Robert E. Hannegan, retiring chairman of the St. Louis Democratic City Committee and partner in the scuttled Dickmann-Hannegan machine, is about to be rewarded this week with the \$7,000 job of United States Collector of Internal Revenue in St. Louis.

Former Mayor Bernard F. Dickmann, senior partner in the ill-starred venture into the realm of "big time" politics, is in political oblivion, defeated for a third term a year ago by a majority of 35,684, a crushing repudiation by an electorate which 4 years before had chose him for the city's highest office by a majority of 48,170.

The organization headed by Dickmann and his sidekick, Hannegan, was wrecked by political greed and unconscionable grasping for power. It is floundering and helpless. It is unable even to agree upon a new chairman who has the confidence of the party members and is capable of rescuing it from the chaos into which it has been tumbled.

#### HANNEGAN TOOK THE FIRST OVERT STEP

But Hannegan is to be rewarded for past services. He was an active participant—in deed, he took the first overt step—in the disgraceful attempt to "steal" the governorship for Lawrence McDaniel, a machine cohort. He was loyal to United States Senator Bennett Champ Clark and to United States Senator Harry S. Truman. His organization had been faithful, as politicians view faith, and had delivered votes for them when they needed votes. So, regardless of public protest and public revulsion, the two Senators from Missouri are determined to pay their debt to him.

The political history of St. Louis was a sorry one during the 8 years of the Dickmann-Hannegan machine rule. Immediately after Dickmann's first election in 1933, there developed a step-by-step progress toward the building of a machine to rival that of Boss Tom Pendergast of Kansas City, whose debauchery of the ballot and of public officials led to his downfall and his incarceration in the penitentiary.

Even before the colossal blunder of the attempted governorship steal, the public had begun to grow restless under the threat of a machine designed to be more powerful even than Pendergast's. It had seen the machine under Hannegan's chairmanship invade the sanctity of the judiciary, it had seen the machine knife good candidates and place its tools on the circuit bench. It had known of the heavy padding of election registration lists.

But it was not until the machine's effort in 1940 to place in the Governor's office Lawrence McDaniel, the Dickmann-Hannegan candidate, through a sordid use of political might—the Democratic control of the legislature—that it so far overstepped the bounds of even political decency as to bring down upon it the overwhelming wrath of the voters. The voters defeated Dickmann for reelection by a majority almost as large as that by which they had elected him 4 years before, and by defeating him made certain that Hannegan could no longer head the party organization in St. Louis. They declared as vociferously as they could that they wanted no more of Dickmann, and no more of Hannegan, in position of public authority.

#### MACHINE LEADERS LOOKING AFTER SELVES

Until its foray into State politics, the machine seemingly had a strangle hold on St. Louis. But it was not satisfied with that. Power breeds a desire for more power, and with the collapse of Pendergast the St. Louis politicians thought they saw the opening for control of Jefferson City and of the State, as well as St. Louis. To get that control, the machine must have its man in the Governor's chair. Studying the list of availables, it decided upon McDaniel, who was Dickmann's appointee as city excise commissioner, and

who seemed to fill the bosses' requirements in every respect.

Dickmann and Senator Clark did not agree on an candidate in the early negotiations. Clark preferring Dan M. Nee, United States Collector of Internal Revenue in Kansas City. But when trial balloons failed to show that Nee had the desired following, Clark withheld the go-ahead sign for Nee, and joined with Dickmann in the support of McDaniel.

McDaniel's candidacy proved a dud. Although President Roosevelt carried the State by 87,467, so great was the machine handicap for McDaniel that he lost to his Republican opponent, FORREST C. DONNELL, by the slim margin of 3,613 on the official return. It was the first time a Republican Governor had been elected in Missouri in 12 years.

This was a devastating blow to the machine leaders. All their plans were wrecked. Loss of the governorship meant they were deprived of the huge patronage of the Governor's office, patronage being a vital necessity for the maintenance of a political machine, and that they were deprived of the many financial favors which flow from a Governor to those who serve the party organization.

In a desperate situation, they decided upon a desperate course. In the forlorn hope of saving themselves, they wrecked their party organization in city and State, and threw out of jobs in St. Louis many thousand loyal followers. The leaders themselves went scurrying to Washington to see what the national administration could do for them. Dickmann landed quickly with the job of Inspector General in the Office of Civilian Defense, but that job recently was abolished, and he is again on the waiting list. Recently McDaniel landed himself a \$3,000 job as parole officer of the St. Louis Circuit Court. Hannegan is to be taken care of with the fat office of Internal Revenue Collector. The chiefs in the machine had ways of looking out for themselves, but the men and women in the ranks are not that fortunate.

In whose mind first lodged the germ which gave birth to the partisan scheme to steal the governorship, to prevent Governor DONNELL from taking office and to install McDaniel in his stead, has been held a closely guarded mystery, but it is known that the first overt step was taken November 13, only 10 days after the State election.

That first overt step was taken by none other than Hannegan. He called a conference of party leaders in a room in the De Soto Hotel for the purpose, as Dickmann later explained it, of "discussing what, if anything, should be done about the governorship." In that smoke-filled hide-out gathered Dickmann and Hannegan, Senator Bennett Clark, Attorney General Roy McKittick, Secretary of State Dwight H. Brown, Chairman Charles M. Hay of the St. Louis Board of Election Commissioners, Probate Judge Glendy B. Arnold, Chairman C. Marion Hulén of the Democratic State committee, State Senator Michael Kinney, of St. Louis, and others.

They discussed the catastrophe which had overtaken the machine and they reached a decision, not unanimously, but by sufficient strength for State Chairman Hulén to proceed with the approval of the machine. Those in attendance never have admitted that this discussion was anything more than an authorization for Hulén to make an investigation to determine whether there was evidence of fraud and election irregularities which would justify the institution of a contest. But the fact is that from that moment the plot to seize control of the Governor's office was in full swing.

#### COULD NOT SAY THEY HAD NOT BEEN WARNED

When the plot failed, with its consequent repudiation of Dickmann and Hannegan, they could not say that they had not been warned. Sitting in the haze of the curling blue smoke listening and taking little part

in the discussion of plans, was Attorney General McKittick, who is noted for a political sagacity acquired through years of rough and tumble campaigning in his native Chariton County. The course of many a political conference has been changed by one homely comment by McKittick.

As the discussion went more and more into detail, McKittick changed his seat a time or two until he was off in a corner almost by himself. About all that was to be said about the plans had been concluded, Hannegan was summing up, when McKittick interrupted and said:

"One thing you fellows in St. Louis should consider carefully. If you go into this you will be the ones under the gun. You city fellows have a city election in the spring, while we country boys will have 2 years to get over it before we have an election."

The stage was set, however, and McKittick's warning went unheeded. The political mind could easily hold the idea that nothing could go wrong with the plans, so long as the Democrats controlled both branches of the legislature. They would simply have the legislature vote McDaniel in and DONNELL out, and that would be all there would be to it.

And with carrying out of the scheme what had the machine in St. Louis to fear in the spring election? Would it not control both the board of election commissioners and the board of police commissioners? What more would be needed to reelect Mayor Dickmann?

State Chairman Hulén—the front man for the State machine—immediately put into motion the forces necessary, as it was thought, to lay the groundwork for carrying out the plan, and to get the sorely needed support of the entire Democratic organization in the State. Ten lawyers were employed to gather evidence of "Republican frauds," Democratic jobholders in St. Louis, Jefferson City, and throughout the State began to pour in reports. In 6 short weeks Hulén was primed.

At a meeting of the Democratic State Committee in Jefferson City December 30, Hulén solemnly announced he had sufficient evidence to show that McDaniel had been elected and that Republican frauds had resulted in McDaniel being counted out. But he did not produce an iota of his evidence for the committee. He had a bulky brief case, which he said contained the evidence, and he even loosened one strap of the brief case, but he didn't get it opened. The State committee took his word for it and adopted a resolution calling for a general and sweeping investigation of the election.

It also asked that the local Democratic committees throughout the State adopt resolution: to be addressed to the legislature, urging the investigation.

#### HANNEGAN READY AND EAGER FOR HIS ROLE

Hannegan not only was ready but also eager for his role in St. Louis. As chairman of the Democratic city committee, he called the city committee into session just 4 days later, January 3, 1941, at the Jefferson Hotel. Again no evidence of fraud was presented, but Hannegan explained that the State committee desired the adoption of a resolution which had been prepared in advance. Forty-nine of the 56 members of the city committee were present and unanimously followed Hannegan's advice and adopted the resolution.

The scheme for an investigation, as distinguished from a contest, was a slick political trick. It called for a legislative committee to be controlled by Democrats, which would have the power to hear such evidence as it wanted to hear and exclude such evidence as it didn't want to hear, and to examine only such ballots as it wanted to examine, and to make its report to a Democratic legislature. Its report would be approved or rejected, the machine leaders seemingly having no fear of a rejection.



Of supreme importance in the plot was the fact that it would prevent the inauguration of Governor DONNELL on January 13, the date fixed in the State Constitution.

#### JUST ONE SLIP IN SCHEMING

There was just one slip in the scheming. The machine did not take into consideration the Missouri Supreme Court, or if it did, was so naive as to think it could count on a solidly Democratic Supreme Court to throw in with it. It was the Supreme Court, acting with high judicial integrity, which caused the collapse of the whole plan.

If there was any honest doubt in the minds of any of the Democratic leaders that Governor DONNELL had been elected, the proper legal course to have followed was for McDaniel to file a contest petition with the legislature, provision for which is made in the Constitution. The Supreme Court so held when DONNELL instituted proceedings to stop the illegal investigation. That, however, was just what the machine did not want. For that would have provided for opening all of the ballot boxes, and DONNELL would have been seated as Governor pending the outcome.

The legislature boldly attempted to play the part cut out for it by the machine. At a stormy all-night session January 11, and over the protest of a few Democratic members, it adopted the investigation resolution. There came an almost instantaneous blast of disapproval from throughout the State.

Leading Democrats, Gov. Lloyd C. Stark, Congressman JOHN J. COCHRAN, State Senator Allen McReynolds, of Carthage, State Senator Michael Kinney, of St. Louis, and others, denounced the scheme as illegal, and insisted that the only legal course would be to follow the Constitution with a straight-out contest, seat the Governor, and proceed in an orderly manner.

#### FOUR WERE STRANGELY SILENT

Strangely silent were Senator Clark, Senator Truman, Mayor Dickmann, and the city chairman, Hannegan. None had even a suggestion of criticism of the scheme. They were mute, awaiting results.

Four days after the resolution was adopted by the legislature and the aroused fury of Democrats as well as Republicans over the attempted steal had become evident, Hannegan issued a statement advocating the counting of all ballots but persisting in demanding a partisan inquiry and decision.

Governor Stark said: "All the able constitutional lawyers I have talked with agree that the duly elected Governor (DONNELL, the Republican) should be seated as required by the constitution, and the contest, if any, then be carried out according to the Constitution."

Congressman COCHRAN said: "Unless the will of the people is carried out there will be a break-down in our form of government."

State Senator McReynolds said: "It is the duty of the majority (the Democrats in the legislature) to observe the exact language of the constitution."

State Senator Kinney said: "We should follow the Governor's advice and proceed in an orderly constitutional way."

Clark, Truman, and Dickmann said nothing. Hannegan continued to stand for a narrow, partisan decision.

Governor Stark on January 15 threw the machine leaders into a state of consternation by the unprecedented action of vetoing the "investigation" resolution passed by the legislature. No governor ever before had exercised the power of veto over a legislative resolution. The machine leaders and the legislative leaders who had been charged with the spade-work of carrying out the machine orders were thunderstruck.

#### SCHEMERS EDGING AWAY

Governor Stark's veto message terrorized the machine leaders, and they began to edge

away from an appearance of participation in the scheme. They began to itch and squirm, and, looking forward to the city election in St. Louis, in which Dickmann was a candidate for mayor for the third time, they began to seek a way to calm the tumult.

It became common talk in St. Louis and through the State that the governorship contest would mean Mayor Dickmann's defeat. The machine leaders recalled, but alas too late, the words of homely wisdom uttered by Attorney General McKittrick 2 months earlier in the smoke haze of the DeSoto Hotel hideout, "You city fellows have a city election in the spring, while we country boys will have 2 years to get over it before we have an election."

Governor Stark said in his veto message: "Leaving out of account any discussion of the constitutional problem, which is now out of my hands (it had been taken to the Supreme Court by DONNELL), I am of the opinion that the principles of good government and fair play dictate that the candidate (DONNELL, the Republican) receiving the highest number of votes in the returns published by the secretary of state should be seated, and the contest proceed in a legal and proper manner."

#### CLARK BREAKS SILENCE

Senator Clark in Washington finally broke his silence after the State was aroused to fever heat. The mayoralty election was then only 10 weeks off. He spoke, but vaguely, and in generalities: "I certainly think that under no circumstances should the contest on the governorship be made in a partisan manner. Just because the Democrats have a majority in the legislature is no reason for throwing DONNELL out. On the other hand, if McDaniel was elected, he should be seated. As to the legal aspects of the case, I must decline to give an offhand opinion."

However, State Senator McReynolds, a lawyer of recognized ability, had not hesitated to express the legal opinion that the course being pursued was illegal. Governor Stark, acting on legal advice, had not hesitated to declare it illegal. The supreme court, deciding the case, specifically held that it was illegal.

The wishy-washy statements by the machine leaders and Senator Clark served to increase the public clamor for fairness, but the party leaders held their ground, continuing their plans, if not with the same degree of openness, to carry out the original scheme, but stopped for the time being by the supreme court, to which DONNELL had appealed. The supreme court, in accepting jurisdiction of the case, had directed that all proceedings be held up until its final decision.

By the latter part of January, while the supreme court was considering the issue, the first noticeable evidence that the machine leaders were thoroughly scared of the effect of the contest on Dickmann's chance for reelection appeared in Jefferson City. St. Louis members of the legislature who, with the exception of Senator Kinney from the beginning and Senator Clinton T. Watson later, began to soften in their support and showed signs of abandoning the stand they had taken. One of them said, "To hell with the governorship if this thing's going to beat Barney."

#### ANOTHER HOTEL MEETING

The real break came late in January when State Senator L. N. Searcy, of Eminence, chairman of the "investigating" committee, was summoned to another hotel conference in St. Louis. It was held at the Coronado Hotel. In addition to Searcy, one or two other members of the legislative committee were there to meet Hannegan and some of his St. Louis machine cohorts. Hannegan by that time had become convinced that the fight was endangering Dickmann and he knew that Dickmann's defeat would mean

the immediate collapse of the machine on which they had so laboriously toiled for 8 years.

At the Coronado Hotel conference, Hannegan sought to abandon the governorship steal, advising Searcy that nothing more should be done to carry out the deft plans of the original cabal, that the "investigation" should be halted, that Governor DONNELL should be seated.

But those who had been charged with the legislative responsibility at Jefferson City were in no mood to quit. Whatever their doubts in the beginning, they had gone so far that they were not willing to backtrack. Senator Searcy returned to the capital determined to recklessly brazen it through.

However, he was not given the opportunity. The supreme court decided the matter for him. On February 19 the court ordered that Governor DONNELL be seated, holding that a "contest" under the Constitution was the proper mode of procedure.

The supreme court left the schemers only the toe-hold for starting all over again with a legal contest. Governor DONNELL was inaugurated February 26, and shortly afterward a contest petition was filed by McDaniel with only the half-hearted support of the machine and the legislative leaders most active in the original proceeding. The schemers really had no hope of sustaining a contest, but a recount of the ballots was begun. As the returns came in it was evident that if there had been frauds and irregularities they had been in McDaniel's favor rather than DONNELL'S. The indications soon were that a completed recount would show that DONNELL had been elected by a majority in excess of 10,000, instead of the 3,613 shown by the original returns.

Even in the face of this situation, it was not until May 21 that McDaniel abandoned hope that through some quirk of fate the cards would fall his way, although long before that the originators of the plot had lost interest in it. For Dickmann had been defeated for reelection in the April election. The Republicans had control of the city hall. Nearly all the St. Louis machine Democrats were out of jobs, and there was no rift in the clouds for the Democrats in the contest. So on May 21, McDaniel asked the Legislature to dismiss his contest, which, he said, he had instituted "with the highest motives," and "with the firm conviction that I had in truth and in fact been elected Governor."

So ended the most gigantic attempted political steal in the history of the State. Dickmann and Hannegan became job hunters instead of job dispensers. What its effect will be on Senator CLARK when he seeks reelection 2 years hence is for disclosure in the still somewhat remote future. As for the immediate future, it seems reasonably certain that while the people kicked Dickmann out, the President and the Democratic majority in the United States Senate are about to put Hannegan in.

#### WHAT ST. LOUISANS THINK OF JOB FOR HANNEGAN

Former Gov. Henry S. Caulfield, now director of public welfare of St. Louis:

"I agree with your courageous editorial against the appointment of Hannegan. In this dread time when men and women are striving for national unity and for faith that our President is a leader raised by patriotism high above partisan politics, it would be a distinct let-down, a grievous shock, for him to make this sordid machine appointment. The people's opinion of the Dickmann-Hannegan machine was registered at the last election. To make this appointment would flout the people and array the President on the side against good government. The Post-Dispatch is rendering a valiant service in bringing the truth home to him."



Mrs. George Gellhorn, former president of the League of Women Voters:

"The Post-Dispatch editorial on the Hannegan appointment throws the floodlight on a sorry situation long recognized by some of us, the people. 'Find a job for the man,' say Missouri's Senators, following the outdated patronage system. So they nominate Mr. Hannegan for the position of collector of internal revenue. But we the people voted against Mr. Hannegan and patronage last September 16, when we passed the civil-service amendment to the St. Louis Charter. The people voted for merit, the people voted to find the man for the job, not the job for the man. Too bad that the merit system in the Federal civil service does not apply to the purely administrative post of collector of internal revenue. Too bad that such posts are dependent on Senate confirmation. Too bad that for reasons we can only surmise Missouri's Senators have found it expedient to nominate Mr. Hannegan. Perhaps they need to hear from us the people, who are fighting to preserve democracy on every front, including the home front. Perhaps the President will invite Senators Clark and Truman to withdraw the nomination of Mr. Hannegan, or, better yet, perhaps Mr. Hannegan will withdraw himself."

J. A. McClain, dean of the Law School, Washington University:

"Appointments to the position of Internal Revenue Collector, as has been true of other important Federal posts, have traditionally been treated by Democrats and Republicans alike as political plums. Little else can be expected so long as the patronage system remains entrenched in Federal, State, and local government. The basic fault, as the Post-Dispatch has repeatedly emphasized, lies in our failure to insist that merit and ability to do the job constitute the sole consideration. This basic handicap is one of the greatest threats to the survival of democracy."

George R. Throop, chancellor of Washington University:

"I agree completely with statement contained in your telegram regarding appointment of Robert E. Hannegan." (The telegram sent to Dr. Throop contained excerpts from a Post-Dispatch editorial published Sunday. This editorial is reprinted today on the editorial page.)

Dr. R. Emmet Kane:

"I am in complete agreement with the efforts of the Post-Dispatch to prevent the appointment of Hannegan to the collector's post. Supporters of good government defeated the political machine which bore his name and which was directed by him. Good government now demands that neither he nor Dickmann be rewarded by lucrative appointive offices after their repudiation by their fellow townsmen. Truman and Clark will hang a millstone about the neck of their party in St. Louis if they force this appointment. All of these men should be grateful to the party which has done so much for them. They should not crucify it."

Rabbi F. M. Isserman, Temple Israel:

"Hannegan's political leadership has been repudiated by the voters of the Democratic Party. To appoint him now to high public office would be to flout public opinion. The collectorship of internal revenue should be filled by a man who holds the confidence and respect of the community. It should not be a political plum handed out to repay political favors. When Senators recommend repudiated political leaders for high office they place personal interest above public welfare and their recommendations should be ignored. I hope that President Roosevelt will recognize that the citizens of this area disapprove of Mr. Hannegan's appointment."

Mrs. George Roubush, president of the League of Women Voters:

"Wholeheartedly concur in opposing Hannegan appointment. Now, when Government is extending in many directions, it is more than ever necessary that its functions be administered honestly and efficiently. No man under whose dictatorship a political machine seized and dispensed spoils with utter disregard for community welfare can be considered fit to fill an office for which the prime requisite is honest concern that the public be honestly served. It is deplorable that this type of administrative post remains outside civil service and thus a party plum. If Senators Truman and Clark continue to support Hannegan, they will flout the judgment of thousands of St. Louis voters."

Mrs. Luella B. Sayman, former member, St. Louis Housing Authority:

"The pending appointment of a new internal revenue collector at St. Louis would seem to furnish definite proof of the importance of including this responsible public office under the Federal merit system in preference to the present patronage method of appointment by favor. The fitness of the individual for the job is unquestionably the all-important point and should be the determining factor in selecting the new appointee, regardless of political services or affiliation."

Fannie Cook (Mrs. Jerome E. Cook), author of *Boot Heel Doctor* and other novels:

"Now as never before we, the people, need to have confidence in our officials, above all in their loyalty to public welfare. I believe the Post-Dispatch is correct in declaring that a man whose record the voters have indignantly repudiated should not be rewarded by a valuable appointment. Senators Clark and Truman must be reminded of the indignation of their fellow Missourians. We want a man recommended because of his record, not despite it. To do otherwise is to damage public faith."

Mrs. Virgil Lewis, a leader in civic affairs and defense activities:

"St. Louis citizens in the April election clearly demonstrated that they believed in the doctrine of party responsibility. If Senators Clark and Truman fail to recognize what a political liability the appointment of Mr. Hannegan would be to the Democratic Party, they appear to be very unimaginative traders of political commodities. But the public cannot evade its responsibility for such a situation by raging against it or even voting against it at intervals. So long as we retain the antiquated system of requiring the President to appoint hundreds of administrative officials, such as United States marshals, collectors of customs and collectors of internal revenue, subject to confirmation by the Senate, we turn these jobs over to the spoilsman."

Mr. DONNELL. Mr. President, in reference to the fact that the appointment of Mr. Hannegan was suggested by Messrs. Clark and Truman, who announced their support of Mr. Hannegan in the early part of 1942, I desire to quote from the Appendix of the CONGRESSIONAL RECORD, volume 88, part 8, at page A1147, at which appear the remarks of Mr. WALTER C. FLOESER, a Member of the House of Representatives, who at that time obtained consent to have printed in the RECORD an editorial appearing in the St. Louis Globe-Democrat. At that time he said:

Mr. Speaker, on Friday, March 13, I called to the attention of the House the grave resentment which continues to grow in St. Louis and St. Louis County, Mo., against the avowed intention to secure the appointment of discredited machine boss, Robert E. Hannegan, to the post of collector of internal revenue.

Public sentiment continues to mount into an overwhelming wave of public indignation.

It is signified by the pointed editorial in the St. Louis Globe-Democrat of March 19, 1942, which I am extending into the RECORD. As the Globe-Democrat again joins in a renewal of the fight for public decency in public places the great metropolitan press, constituting three outstanding newspapers, becomes unanimous in their opposition to this intrusion on public confidence.

Then follows the editorial, which was published in the St. Louis Globe-Democrat of March 19, 1942. I wish the Senate to listen to this: It reads as follows:

#### SMASH THE HANNEGAN APPOINTMENT

Senators Clark and Truman have recommended the President appoint Robert E. Hannegan, discredited boss of a discredited political machine, to the office of internal-revenue collector in St. Louis. Such an appointment would be in wanton disregard of public sentiment. It would be a disgraceful example of plum passing. It would reward a party henchman whose record is inextricably linked with the brazen attempt to steal the governorship of Missouri.

In opposing Hannegan for the collectorship, there is no implication that his personal integrity is not of the highest. His private and legal reputation, as far as we know, is as spotless as Caesar's wife. His political reputation is a much different story.

The issue is Hannegan, the former chairman of the city Democratic committee, the chieftain with ex-Mayor Dickmann, of the local machine, that dominated politics here for 8 years. The issue is Hannegan, the organization wheelhorse who wielded a boss regime as powerful in its own bailiwick as the late Pendergast juggernaut in Kansas City.

The issue, most specifically, is Hannegan, who, with Mayor Dickmann, sat in on the conference that started the nefarious scheme to hijack the governorship from FORREST C. DONNELL. Whether Hannegan actually counseled the partisan investigation by the Democrat-controlled assembly may be debatable. That he later backed the plan by calling for his committee's approval, that he gave tacit consent to the whole proceeding, cannot be questioned.

If Hannegan and Dickman had withdrawn support from the plot to strong-arm the governorship and seat their own candidate, Lawrence McDaniel, the whole vicious stratagem would have collapsed. They "went along." That is the most charitable view possible. It is much more likely they were silent leaders in the plan.

The Dickmann administration was rolled out of office last April by a stunning defeat—a majority of 35,634 votes against it. Four years previously Mr. Dickmann was elected by a majority of 48,170. Without a ghost of doubt, the paramount reason for the machine's crushing rejection was the conspiracy against the governorship, ultimately scotched by the State supreme court.

The public of St. Louis has repudiated the Democratic machine. Hannegan was an integral part of that machine, one of its two bosses. It becomes no less than an insult to the city's electorate for Missouri's two Senators to attempt hoisting him onto the Federal pay roll in a \$7,000 consolation coup. If this is what is called political loyalty, we have no stomach for it.

Obviously, were Hannegan to be made collector, it could hardly be called a move to resuscitate the machine. Federal service is under a pretty strict merit system. But St. Louis has a healthy intolerance for a political credo that damns public opinion and dishes out rewards to discarded machine bosses.

Senator Clark and Senator Truman had better reconsider their Hannegan recommendation. If they don't, we urge the President to ignore senatorial privilege and smash the attempt to secure Hannegan's appointment.



His appointment was made. He was nominated on May 4, 1942, and the appointment was reported favorably on May 5. I do not know whether a meeting of the committee was held; but he was nominated on one day, reported favorably on the next day, and confirmed by unanimous consent on May 6. There was no yea and nay vote. Mr. Clark of Missouri addressed the Senate, urged confirmation of Mr. Hannegan's nomination despite the statement which had been made in the St. Louis-Post-Dispatch. I have not read his statement fully. I had better not say whether he comments on the Globe Democrat.

In 1943 Mr. Hannegan was appointed to be Commissioner of Internal Revenue. On October 4 the nomination was referred to the committee. On October 5 it was reported favorably, and on October 6 it was unanimously confirmed. On motion by Mr. Clark of Missouri, and unanimously agreed to, it was ordered that the President of the United States be notified of the confirmation, and on October 7 Mr. Hannegan took office as Commissioner of Internal Revenue. On January 22, 1944, he was made chairman of the Democratic National Committee.

Mr. President, before completing my remarks I desire to make a very brief recapitulation of the points which I think are unanswerable that the Senate is entitled to have this nomination recommended to the committee. If any other Senator desires to be heard while I hold the floor, I shall, with pleasure, yield to him. (After a short pause.) I assume that no other Senator desires to be heard.

For the following reasons there should be granted by this body, by unanimous consent, an order recommending the nomination of Mr. Hannegan to be Postmaster General to the Committee on Post Offices and Post Roads: First, because the nomination was not presented at a meeting of the committee; second, there is no urgency which would prevent holding hearings on the matter; and third, the importance of filling this Cabinet office with a proper person. Consideration should be given to the fact that the office is a Cabinet office. Consideration should also be given to the volume of business which the Post Office Department transacts, the number of its employees, as indicated in peacetime, which is the largest of any department of the Government; its contractual duties; and the fact that the employees of 42,000 post offices are under civil service. All these facts indicate the importance of the office.

Next, as I have already indicated, is the fact that the Postmaster General is generally regarded as one who exercises a great deal of influence in the entire field of Federal patronage. The next reason is that when Postmaster General Walker resigned as party chairman he gave as his reason the fact that due to the war and the constantly growing volume of post-office business, the office of Postmaster General had become so important as to require the full time and energy of the Postmaster General. Yet, Mr. Hannegan is reported to have made the decision to retain his position as chairman of the Democratic National

Committee while occupying the office of Postmaster General. The Senate is entitled to know how Mr. Hannegan can find time to perform the duties of both positions if Mr. Walker could not do so. Moreover, the duties of Postmaster General and those of the chairman of the National Democratic Committee are inconsistent and incompatible.

Finally, I cite the series of incidents which occurred in Missouri not only 1 day but over a long period of years, from the time that Mr. Hannegan became interested in politics. The committee is entitled to examine into those facts, hear Mr. Hannegan's side of the question, and determine whether or not he is of the type of man to be appointed. The committee should hear fully from him, and from every witness which the committee wishes to summon.

So, Mr. President, at this time I respectfully request unanimous consent of this body that the nomination of Robert E. Hannegan to be Postmaster General of the United States be recommended to the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?

Mr. McKELLAR. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DONNELL. Objection having been made, I respectfully move that the nomination of Robert E. Hannegan be recommended to the Committee on Post Offices and Post Roads.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Austin	Hatch	O'Mahoney
Bailey	Hawkes	Overton
Ball	Hayden	Radcliffe
Bankhead	Hickenlooper	Reed
Bilbo	Hill	Revercomb
Briggs	Johnson, Colo.	Russell
Buck	La Follette	Shipstead
Burton	Langer	Smith
Bushfield	Lucas	Stewart
Butler	McFarland	Taft
Capper	McKellar	Taylor
Chavez	McMahon	Tunnell
Cordon	Maybank	White
Donnell	Millikin	Wiley
Downey	Mitchell	Willis
Ellender	Moore	Wilson
Ferguson	Morse	Young
Green	Murdoch	
Hart	O'Daniel	

The PRESIDING OFFICER. Fifty-five Senators having answered to their names, a quorum is present.

Mr. McKELLAR obtained the floor.

Mr. O'MAHONEY. Mr. President—

Mr. McKELLAR. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. I addressed the Chair in order that I might answer the quorum call.

The PRESIDING OFFICER. The Chair previously recognized the Senator from Tennessee.

Mr. McKELLAR. Mr. President, a number of Senators have come into the Chamber, and I wish their names might be put on the roll call.

The PRESIDING OFFICER. Without objection—

Mr. O'MAHONEY. Mr. President, the Senator from Tennessee yielded to me. A quorum call was just had, and I desire to be recorded as present.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SHIPSTEAD. Mr. President, I make the same request.

Mr. BURTON. Mr. President, I should like to have the same privilege accorded the Senator from Arizona [Mr. HAYDEN] and myself.

The PRESIDING OFFICER. Without objection, the Senator from Ohio [Mr. BURTON], the Senator from Arizona [Mr. HAYDEN], and the Senator from Minnesota [Mr. SHIPSTEAD] will be recorded as present.

Mr. McKELLAR. Mr. President, returning to the question before the Senate, I desire to say that it is quite remarkable how we sometimes do things in the Senate. The nomination of Mr. Robert E. Hannegan, of Missouri, has been sent in for confirmation as Postmaster General, and we have just listened to a very fine and delightful speech by one of the Senators from Missouri, my distinguished friend [Mr. DONNELL]. About nine-tenths of his speech was a rehash from the public press of a political controversy between Democrats and Republicans of Missouri. I can understand why my good friend would feel very much interested in both present and past and possibly future politics in Missouri, but I am wondering whether or not that constitutes a reason why Mr. Hannegan's nomination to be Postmaster General should not be confirmed.

Let me say to my Republican friends that most of them have been here for several years and, by implication at any rate, they voted for Mr. Hannegan on two former occasions. Nominations of Mr. Hannegan have been confirmed twice by the Senate. He was confirmed on May 6, 1942, as collector of internal revenue for the first district of Missouri, a very important office. I have never heard of any defalcations or charges of wrongdoing in that office. Some political successes of Mr. Hannegan have been charged against him, but my distinguished friend from Missouri has not said a word against Mr. Hannegan's character or his ability.

Let me digress sufficiently long to say that when we think of the results of the election last November, with Mr. Hannegan at the head of the Democratic campaign effort, it is no wonder that nothing is said about Mr. Hannegan's ability, because in a very hot contest last November Mr. Hannegan won it for his candidate, even in Missouri. My distinguished friend, by his eloquence no doubt, and by his fine character was fortunate enough to be elected to the Senate by a small majority. I congratulate him on his success. He must have achieved it by the same species of speaking he has evidenced here today. But he has not said anything against the character or the ability or the honesty or integrity of Mr. Hannegan. Except for several Republicans, including the Senator from Missouri, who were not here at the time, my Republican colleagues voted for Mr. Hannegan twice.



The first time on May 6, 1942, and again on October 6, 1943. They voted both times unanimously; he obtained every vote in the Senate. They voted unanimously to confirm him for one of the most important offices of this country, indeed probably the most important so far as a man of integrity is concerned, namely, the office of Commissioner of Internal Revenue, one of the greatest money offices in the Government. They unanimously voted for him; there was no opposition. So, when his nomination was sent to the Senate a few days ago, he having been confirmed by this body twice in the recent past, I assure my colleagues that it never occurred to me that there would be any opposition to the nomination.

Mr. Hannegan has won his spurs. I think the senior Senator from Missouri should take off his hat to him. It is an excellent thing to take one's hat off to an opponent sometimes when the opponent has done well, and certainly Mr. Hannegan did well last November. Many Republicans then thought he was not going to do so well as he did, but he made a good campaign, and he won a great victory.

I wish to call attention to some of the things which have been said. First of all, the Senator from Missouri takes me to task for having done something irregular, so to speak. Before I start to speak about that, however, I wish to say to the Senator that if he had come to me last Thursday and had said he wanted a hearing, that he would like to have the nomination go over, that he wanted certain witnesses called, and that this nominee was dishonest, or if he had made any other charge, I would, of course, have accommodated the Senator. If he had brought me all the newspaper clippings he has put into the *RECORD* today about Mr. Hannegan, I do not think I would have paid any attention to them, but certainly if he had come to me and said he wanted to be heard, of course he would have been heard. He is a member of the committee. But he chose another plan. He wanted to make an issue. I think there are two Senators on the other side who want to make an issue of this nomination, who want to overturn, as the Senator now wants to overturn, as he has just moved to overturn, a rule which has stood for many years.

I am not sure whether the rule was started by Republicans or not, but even in my time I remember when Mr. Will Hays was chairman of the National Republican Committee, and was also Postmaster General. Mr. Hays was a very delightful gentleman, and, so far as I can now recall, he made a very excellent Postmaster General. The fact that he had been in politics, as we have all been in politics, was not held against him. What Senator is there who has not been in politics? I say to my friend, the senior Senator from Alabama [Mr. BANKHEAD] sitting here before me, that he should not look at me in the way he is doing, because he has been in politics, and he cannot tell me any different. [Laughter.] We have all been in politics.

A man who is in politics is not a criminal, he is not dishonest necessarily.

Sometimes he is, but very rarely. During all the years of its existence there have been very few in this body who have been dishonest, I am very happy to say.

Are we to say that a man who has been confirmed twice to high public office by this body should not be confirmed because some newspapers have said evil things against him? If my name came before this body for confirmation, I would never have a chance in the world if Senators should consider newspaper statements as ground for disqualification, because I presume that as much evil has been said about me by the newspapers as has been said about any other Member of this body, and probably more.

Mr. LUCAS. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. LUCAS. I call attention to the fact that, as we all know, the two confirmations of Mr. Hannegan, to which the Senator from Tennessee has called attention, happened since 1940, since the events upon which the Senator from Missouri bases his entire case.

Mr. McKELLAR. That is true, and I thank the Senator from Illinois for the interruption and for the information. Since the controversy took place, the Senate twice confirmed this man, who was involved in the controversy, according to the newspaper stories read by the distinguished Senator from Missouri.

Mr. WHEELER. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. WHEELER. When it appeared that Mr. Hannegan's nomination was to be held up here today, I had occasion to talk with him, and I asked him whether or not he was a party to what took place in Missouri as it has been related. He assured me that he was not, that at the time he and his family were in Florida, and that he had issued a public statement after that saying he was in no wise responsible for it.

Mr. President, I am not intimately acquainted with Mr. Hannegan. I have met him a few times, but, frankly, I have been impressed with the fact that he is a very high class and very honorable gentleman.

I have also had occasion to inquire as to his activities when he was Commissioner of the Internal Revenue Bureau and I was told by a disinterested party, who was a civil-service employee, that during the short time Mr. Hannegan was in the Bureau he put into effect more reforms than anyone else had inaugurated for a long time. So far as I am concerned, I shall vote to confirm Mr. Hannegan, and I think he will make a very able Postmaster General.

Mr. McKELLAR. I thank the Senator.

Mr. TAFT. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. TAFT. The Senator from Missouri merely suggested that the nomination be recommended to the committee, in order that these matters might be looked into and Mr. Hannegan given an opportunity to state what are the facts, as it seems he stated them to the Senator from Montana. I still think that Mr. Hannegan himself should prefer to have an op-

portunity to appear before the committee.

Mr. McKELLAR. Mr. President, I have not talked with Mr. Hannegan. I saw him for probably one-eighth of a minute last night as he and his wife walked through the vestibule of the hotel where I reside, so I do not know what he wants done about the matter, and I cannot say. I wish to say, however, that, as my colleagues know, we feel in certain instances that we know about certain matters. I was a trial lawyer for about 18 years before coming to Congress, did little else but try cases, and I had to look jurors and judges constantly in the face. There was not so much trouble with the judges, but I had to look jurors in the face regularly, and I came to feel that I could judge a man after I had had opportunity to look him in the face.

I think that the first time I ever met Mr. Hannegan was last July. I may have met him before, but it would have been just a passing introduction, and I have not seen him five times since; indeed, I doubt if I have seen him three times since then. If ever I saw an honest look on a man's face, I saw such a look on Bob Hannegan's face. He is a straight man. I would vouch for him from my knowledge of men generally, having looked at him. We can look at a man and tell whether he is an honest man—if we look carefully enough [laughter]—and I believe Bob Hannegan to be a perfectly honest man.

Mr. Hannegan is not only honest, but he is able. The last campaign was a difficult one for any party. There is no doubt about that. Even the Republicans admit it, because they really thought they were going to win in that campaign. But Bob Hannegan was the master of that situation. The chairman of the national committee is always master of the situation if he succeeds, and Hannegan succeeded. He did well, and, so far as I know and believe, he is a man who meets every specification which was suggested by the Senator from Oregon [Mr. MORSE] a little while ago.

Mr. CHAVEZ. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. CHAVEZ. All we have to do, in considering Mr. Hannegan, is to judge by the experience of any Member of this body. Which Member of this body would be here if his qualifications were dependent upon what the opposing newspapers stated about him? I think the record should be consulted in these particular instances. Politically Mr. Hannegan has done wonderfully well, and, as the Senator from Tennessee has stated, I think he has shown that he could fill perfectly the office to which he has been appointed. On the two different occasions to which the Senator from Tennessee has referred, this body scrutinized Mr. Hannegan's integrity, and his ability, in connection with positions which are just as important as that of Postmaster General, in my opinion. A man could be Postmaster General who would not qualify as collector of internal revenue. Possibly he would not look into the ramifications and details of his office. But on two different occasions,



when Mr. Hannegan was appointed collector of internal revenue for the St. Louis district, and when he was appointed to be Commissioner of Internal Revenue, the incidents which took place in 1940 were rather recent. If they had been really serious, surely this body would have heard of them.

Mr. McKELLAR. I thank the Senator from New Mexico. If they had been serious they might have saved the Republicans a great deal of trouble, because they might then have fixed matters so that Mr. Hannegan could not have waged the successful campaign he waged.

Mr. President, in all frankness I wish to talk about the rule which the two Senators on the other side of the aisle desire to change. The rule has been in existence ever since I have known anything about the Post Office Department, which is now a period of about 35 years.

When a nomination comes to the committee it is sent to the various members of the committee. In this instance this is what was sent to them:

*Ordered*, That the following nomination be referred to the Committee on Post Offices and Post Roads:

Robert E. Hannegan, of Missouri, to be Postmaster General, effective July 1, 1945, vice Frank C. Walker, resigned.

On this paper we find the following signatures:

ALLEN J. ELLENDER, CHAVEZ, McKELLAR, HAYDEN, BAILEY, JOHN L. McCLELLAN, LEE O'DANIEL, GLEN H. TAYLOR, CLYDE M. REED, B. B. HICKENLOOPER, WILLIAM LANGER.

The Senator from North Dakota [Mr. LANGER] at first protested, but after consultation with me he withdrew his protest. I consulted with him, because I have nothing in the world to cover up in any manner, shape, or form. I consulted with him, and after talking the matter over he said he would not object.

The objection came from the Republican leader, the Senator from Maine [Mr. WHITE], who very courteously asked that the nomination go over until today, and that was done.

I have never been asked for a hearing on this nomination by anyone. The distinguished member of my own committee who is now fighting the nomination never asked me about it. He is objecting to the rule. So is the Senator from Oregon [Mr. MORSE]. Both Senators object to the rule. The rule has been in existence from time immemorial, so far as I know.

By the way, there are Senators present who, I believe, enjoyed the benefits of this rule. I know that one of the finest men God ever made, who is sitting back here with his hand to his face, and his name is JOSIAH W. BAILEY, was confirmed as collector of internal revenue of North Carolina 35 or 40 years ago under exactly the same rule. The practice has continued all the time. There have been some objections raised to it. My friend the Senator from Maine [Mr. WHITE] does not like the rule very much. I think he has frequently expressed his disapproval of it. But the Senate has adopted the rule. It is a part of the Rules of the Senate. It may be a wrong rule. If the Senator from Missouri thinks it is a wrong rule, or if the Senator from Oregon thinks it is a wrong rule, let them

submit a resolution, and let it go to the Rules Committee and let that committee and the Senate pass on it. The Rules Committee is still in existence. The Senate is still in existence. If the rule is wrong, change the rule.

Mr. President, both Senators to whom I have just referred are new Members of the Senate, and excellent ones, too. After they have been here for a while and realize how many nominations come before various committees I think they will think better of it and promptly change their views. They are now in this indirect manner trying to attempt to make a precedent for the purpose of changing the rule. So far as I am concerned, I probably would have made a mistake if the Senator from Missouri had come to me and said he wanted a hearing, but after hearing his political speech of 2 hours, in which he said he wanted to rehash things that happened away back yonder before Mr. Hannegan was twice confirmed by this very body, I think it was very fortunate that the Senator did not come to me and that we did not change the rule. I think we ought to vote on the nomination this afternoon, and the sooner the better. I shall not take long, but I will yield to the Senator from Missouri, who has been on his feet for some time.

Mr. DONNELL. May I ask the Senator from Tennessee if the Senate manual which I hold in my hand contains the official Rules of the Senate, and whether there is any rule anywhere by which a committee is authorized to act without holding hearings?

Mr. McKELLAR. I am not sure about whether it is in the manual. I have not looked at it lately. I will say to the Senator that since I have been in the Senate that question has been raised a number of times, as the Parliamentarian will tell the Senator, and every time the Senate has held that a report on a nomination by poll was a legal and proper report under the rules. If the Senator has any doubt about it he can make a point of order. I shall conclude in a few moments, and I suggest to the Senator that when I am through he make the point of order that a favorable report by poll is not in order.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. WHITE. The Senator from Tennessee referred to me kindly, as he always does—

Mr. McKELLAR. I could do not anything else.

Mr. WHITE. And said in substance that I do not think much of this rule; indeed I do not think anything of this rule, I want to supplement what the Senator has said. I do not think much of this rule; I do not think anything of this rule, except that it is a thoroughly vicious practice.

Mr. President, it is a practice which has been followed in the Senate for some time—I have to admit that much—but I believe that it is a violation of the written rules of the Senate; the standing rules of this body. I believe it is a practice which is thoroughly reprehensible. I wish there were some way to stop it. I think what we have here today is a per-

fect illustration of the infirmity and of the inherent harm in the practice.

I do not like to speak of it as a rule, but rather as a practice. If the rules of the Senate had been followed this matter would have been referred to a committee, and then there would have been a committee meeting; there would have been opportunity formally to present the request for an investigation. It always has seemed to me, and it seems to me now, that that is the correct and proper and orderly procedure, and might well result in avoiding situations similar to the one we have here today.

Mr. McKELLAR. My recollection is that on a former occasion, and that is probably where I obtained my information concerning his views, the Senator from Maine made a point of order that a report from a committee—I do not know whether it was from my committee, but from some committee—when a poll was taken of the members of the committee, was not a proper report. The Senator made a point of order against it, and the Chair overruled the point of order, and the Senate sustained the Chair. That is my recollection.

Mr. WHITE. I have no recollection whether I made the point of order or not.

Mr. McKELLAR. Some Senator did.

Mr. WHITE. Notwithstanding the point of order, notwithstanding the ruling of the Chair, and notwithstanding the practices and the precedents of the past, I still insist that it is all wrong.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield to the Senator from Ohio.

Mr. TAFT. I do not want to enter into the question whether this is a rule or not. I think clearly it is not a rule. I assume what the Senator is saying is that it is a precedent of the Senate.

Mr. McKELLAR. It certainly is.

Mr. TAFT. I think that in this case it is not a precedent of the Senate. On pages 4132 and 4131 of the CONGRESSIONAL RECORD, appears the following:

Executive nominations received May 3.

Robert E. Hannegan, of Missouri.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Robert E. Hannegan, of Missouri, to be Postmaster General.

The same day the report came in and, I think, actually before it was referred to the Committee on Post Offices and Post Roads, a report was made. Certainly the practice, if there is a practice, when such a nomination comes in, is to refer it first to the Senators of the State from which the appointment is made.

That is the regular practice. I am constantly receiving from the Senator's committee the nominations of postmasters in Ohio, which, so far as I know, I have invariably approved. In this case that practice was not followed.

Mr. McKELLAR. Yes; that practice was followed in this case.

Mr. TAFT. I understood the Senator from Missouri to state that until after the report had been signed by 11 Members, and was then presented to him, no official statement was made to him.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.



Mr. DONNELL. The facts are that on the 3d of May there was brought to me a paper which had some signatures on it. I do not know how many there were. It was the paper a copy of which I hold in my hand. It begins:

*Ordered, That the following nomination be referred to the Committee on Post Offices and Post Roads—*

And concludes with the words "with the recommendation the nomination be confirmed," following which are various signatures. That paper was presented to me at my desk. I had never been spoken to directly or indirectly before it was presented to me. When it came to me I looked at it and told the gentleman who handed it to me that I would not sign it at that time, that I wished to think over what I should do about it.

Mr. McKELLAR. Mr. President, my secretary hands me the following note:

I submitted it to Senator DONNELL immediately after Senator REED, ranking minority Member, who had signed it.

The Senator from Kansas is the ranking minority member of the committee, and my secretary assumed that he ought to submit it to him first. He then submitted it to the Senator from Missouri.

It never occurred to me in the remotest way that there would be any objection to the nomination of this Cabinet officer.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. TAFT. I understand the Senator's statement; but the point I wish to make is that if there is a precedent regarding nominations in the Senate, it is that when they are received they shall be first referred to the Senators from the State in which the nomination is made, for their opinions and views. When their views have been received, whether adverse or favorable, a nomination may then be submitted by a poll to the members of the committee. I do not believe that is a good practice. But I do not think there is any rule or precedent of the Senate which justifies a nomination coming here in the middle of the afternoon and being circulated among members of the committee and signed without consulting the Senators from the particular State, and without other Senators even knowing that the nomination has been received. Senators may be out of the city. It seems to me that there is no precedent of the Senate to justify the procedure which has been followed in this case.

Mr. McKELLAR. Mr. President, we might as well be perfectly frank. The Democratic Senator from Missouri was in favor of this nomination, and the Republican Senator from Missouri was against the nomination. That is all there is to it.

Mr. SHIPSTEAD and Mr. DONNELL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I yield first to the Senator from Minnesota.

Mr. SHIPSTEAD. Mr. President, I am not acquainted with Mr. Hannegan,

but I have friends who are acquainted with him, and who speak very highly of him and his work. Personally, I have no knowledge of his qualifications.

However, while it is not a rule, it has been the custom, when a nomination is received, particularly an important nomination, to refer it to the Senators from the particular State. I have never insisted upon it, but I believe that it is a courtesy which is usually accorded.

Mr. McKELLAR. It always is. It was accorded in this case.

Mr. SHIPSTEAD. As to polling the committee, it is my impression that it is usually understood that when a committee is polled, and every member of the committee is consulted, that is considered a proper procedure; but a poll of the committee is proper only when all the members of the committee are consulted.

Mr. McKELLAR. Oh, no. The Senator is mistaken.

Mr. SHIPSTEAD. That is not a fixed rule. We know what the fixed rule of the Senate is. There is nothing wrong about polling a committee. It is a precedent.

Mr. McKELLAR. It has been in effect for 35 years to my certain knowledge.

Mr. SHIPSTEAD. It is the practice.

Mr. McKELLAR. Yes; it has been the practice for 35 years.

Let me say to the Senator and to the Senate that I am told that during this war several hundred thousand appointments have been reported from the Military Affairs Committee alone. If we had to have a party fight over every military appointment which comes before the Senate, we would not be a legislative body at all. We would be a political body.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. AUSTIN. I do not believe that the Committee on Military Affairs follows the practice of taking signatures on a sheet of paper when recommendations come from the White House or from the Chief of Staff for promotions of officers. The Military Affairs Committee has exercised care, and has scrutinized such appointments. In many cases it has sent for the history and records of the men who were promoted. So the practice of the Committee on Military Affairs can hardly be used as a reason for taking a poll of part of a committee in order to receive a report on a nomination from a committee on the same day on which the nomination is received, without any opportunity to investigate the appointment of an individual to the high office of a member of the Cabinet. There is nothing that the Senate Committee on Military Affairs has done which would constitute a precedent for such haste.

Mr. HATCH. Mr. President, will the Senator yield for a question?

Mr. McKELLAR. I shall be glad to yield in a moment.

Mr. President, in order to demonstrate how our memories sometimes fail us, let me cite one instance. I do not see the chairman of the Committee on Military Affairs present.

Mr. AUSTIN. No; he is in Europe.

Mr. McKELLAR. Within the past 10 days the Senate had before it a long list of military appointments. It must have occupied a dozen pages in the RECORD. They were submitted to the Senate and were announced from the desk. I believe my friend, the Senator from Alabama [Mr. HILL] asked unanimous consent that the entire list of military nominations be approved without being sent to a committee. As I remember, they were approved without even being sent to a committee. Is that true?

Mr. HILL. I believe the Senator has reference to the nominations of midshipmen in the Navy.

Mr. McKELLAR. Perhaps that was it.

Mr. HILL. A few days ago, the distinguished Senator from Massachusetts [Mr. WALSH], chairman of the Committee on Naval Affairs, asked that a very large number of nominations of graduates of the Navy Academy be confirmed.

Mr. McKELLAR. There were several hundred of them.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. AUSTIN. We have routine promotions in large numbers, but they are passed on by the committee. They are passed on en bloc unless there is reason for a detailed investigation by the committee. However, that does not constitute a precedent for the peculiar action which occurred in connection with this nomination.

Mr. McKELLAR. Does the Senator think there is something wrong about this action?

Mr. AUSTIN. I do not pass judgment. However, I believe that when a member of a standing committee of the Senate asks that opportunity be given for a hearing, his request should be granted.

Mr. McKELLAR. He did not make the request until after he had made a political speech lasting 2 hours today. That was the first time he ever made the request.

Mr. AUSTIN. It is a matter of right.

Mr. McKELLAR. I do not agree with the Senator, under the circumstances.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. REVERCOMB. The able Senator from Tennessee has referred to the practice of the Committee on Military Affairs.

Mr. McKELLAR. The particular incident to which I was referring related to the Committee on Naval Affairs. I was mistaken. However, the Committee on Military Affairs follows the same practice.

Mr. REVERCOMB. No. The Committee on Military Affairs does not follow that practice. So far as I know, every appointment on which the Committee on Military Affairs acts comes before the committee and must come before it. I recall that last year one of the attachés of the Committee on Military Affairs attempted to deal with some appointments by polling the committee. That practice was objected to, and has not been indulged in since, so far as I know.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. HATCH. I merely wish to ask the Senator from Tennessee a question. I have heard a great deal of comment about this particular nomination, and about technical rules and procedure. I have always had the idea that the President of the United States was entitled to select the persons whom he might choose to be members of his own official family or Cabinet. But I have always had in my own mind this particular reservation, namely, that that person should be a man of fitness and character.

I listened to the Senator from Missouri [Mr. DONNELLY] review the political scandals of his State—to his own great satisfaction, I am sure—but I did not hear him say a single word against the fitness or the character of the nominee.

I ask the Senator from Tennessee whether that question was raised.

Mr. McKELLAR. I did not hear it raised. If the Senator from Missouri made a statement reflecting upon Mr. Hannegan's fitness or his character, I did not hear it—and I sat here all the time, except for about 2 minutes.

Mr. HATCH. Then, Mr. President, in that respect I wish to say that the confirmation of the nomination of a member of the President's Cabinet is on a somewhat different basis than the confirmation of the nomination of postmaster of Squedink or Podunk.

Mr. McKELLAR. Mr. President, I wish to conclude my remarks very shortly. All I wish to say is that, there being nothing against the character or fitness of Mr. Hannegan—he has held high office, he has been very much in the public eye, of course, because of his connection as chairman of the Democratic National Committee—it seems to me there can be no question in the world about his qualifications.

It is said that he should not be confirmed because he is now chairman of the Democratic National Committee. That question was raised by the Senator from Missouri, I believe. That practice, as I recall from my recollection of history, was begun by Mr. Harding, when Will Hays, a very estimable gentleman, who had led the Republican Party to a glorious victory, as they looked at it, was made Postmaster General, and he was also continued as chairman of the Republican National Committee.

My recollection is that later on, in a subsequent administration—I have forgotten which one, whether it was Mr. Coolidge's or Mr. Hoover's—a man who was either chairman or assistant chairman of the Republican National Committee was made Postmaster General.

My recollection is that James A. Farley then came in; and following the example set by a successful Republican in their day, the Democrats appointed the chairman of their national committee to be Postmaster General. He made an excellent one.

Now the nomination of Mr. Hannegan is before us. The Democrats now have nominated Mr. Hannegan—again following the leadership of the Republicans. We followed them on the question of polling the committee. That is what

they used to do; it was a general practice in Republican days, as well as in Democratic days. But now the Republicans wish to stop the practice—insofar as the Democratic Party is concerned.

Mr. President, I have no doubt that if some day the Republicans secure as a chairman of their national committee a man who leads them to a successful result and a fine victory, they will change their minds, and they will wish to put him in office, just as Mr. Hannegan is to be put in.

Mr. Hannegan is a fine man. He has a wonderful personality. He is well educated. He is a graduate of a splendid college in Missouri. He is a man who stands well. He is a man who knows how to fight. He is a man who knows how to win. He is a man who knows how to handle himself.

From a political point of view I can see why the Republicans should be opposed to him. I do not know about all the fights the Senator from Missouri has had in Missouri, but it may be that Missourians will fight again, and I do not blame them for not wanting Mr. Hannegan to be Postmaster General. But practically all the other Republican Senators have voted for him for two other high offices. If they vote against him now they will have to change their practice, they will have to change their votes, because they all voted for him in 1942 and 1943. They will have to say their votes were wrong, that the Senator from Missouri is their leader, and that they are going to follow him and take back the votes they heretofore cast for Mr. Hannegan.

Mr. REED. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. REED. The Senator from Tennessee did not go far enough back in history to discover the origin of the custom relative to the nomination of Postmaster General. As I recall, Frank H. Hitchcock, who was chairman of the Republican National Committee in 1908, was made Postmaster General under President Taft.

Mr. McKELLAR. I am quite sure that is correct.

Mr. REED. I have forgotten whether he retained his chairmanship along with his position as Postmaster General.

Mr. McKELLAR. Inasmuch as the Senator has refreshed my memory, I wish to tell him about another man, namely, Harry S. New, whom most of us old-timers remember. He was a fine man, and he was Postmaster General and also chairman of the Republican National Committee. I have forgotten whether he held both positions at the same time, but he held them in the same vicinity of time, at any rate. I do not think the fact that he had been chairman of the Republican National Committee disqualified him to be Postmaster General. Harry New was one of the finest gentlemen I ever know. I always liked him. The fact that he was an excellent chairman of the Republican National Committee did not make him any less able as Postmaster General. I think he made a very excellent Postmaster General, just as Robert Hannegan will do if his nomination is confirmed this afternoon.

I hope the Republican Senators will stand by their former votes. I do not think we should reframe or attempt to change the rules. I do not think we should change the rule or the custom relative to having a Postmaster General hold both offices. That has been the custom. The only way to make a change now would be to pass a law to the effect that no man who had been chairman of a national committee should be head of the Post Office Department. I think such a law or such a rule would be a very foolish one. I think it depends on the man.

We have before us the nomination of a man as to whom not a word to his discredit has been spoken, except that he has been a successful politician. He has been, and I admire his success; I honor him for his success. He made a great fight. It seems to me there is no reason in the world why his nomination should not be confirmed.

Mr. REED. Mr. President—

Mr. McKELLAR. I yield to the Senator.

Mr. REED. I wish to say a few words to my good friend the Senator from Tennessee. I am in a rather peculiar position here, because I happen to be the ranking member of the minority on the Committee on Post Offices and Post Roads. When the clerk brought that poll to me, I signed it. I am not defending the practice of polling committees. I share to some extent the view of the Senator from Maine that it is a bad practice. But I wish to say to my good friend the Senator from Tennessee that there is no question whether the nomination of Mr. Hannegan will be confirmed. The only issues presently on trial are the practices of the Senate and Mr. Hannegan's own welfare in the future.

If the Senator had called a meeting of the committee I would have voted in favor of a committee report recommending confirmation of the nomination. I say again to the Senator from Missouri that notwithstanding what he has said here today, I voted twice in this body to confirm the nomination of Mr. Hannegan—first when he was nominated to be collector of internal revenue at St. Louis, and later when he was nominated to be Commissioner of Internal Revenue for the country as a whole; and I am familiar with what the Senator from Missouri has said.

I agree that the conditions about which he has spoken represent a disgraceful chapter in the history of politics in Missouri, as they would in any other State. They do not reflect any credit upon Mr. Hannegan. The political situation in Kansas City and in the remainder of the State is about as rotten as ever existed anywhere. When he searches his soul I believe the Senator from Missouri will perhaps agree that the dirty treatment which he received at the hands of the Democratic authorities in Missouri in 1940, after he had received a majority of the votes cast, on the face of the returns, was perhaps an important influence in his election last year to the United States Senate.

Mr. President, to me it is important that we keep the record straight. If



a meeting had been held of the Committee on Post Offices and Post Roads I believe I should have voted favorably upon the confirmation of Mr. Hannegan. If the Senator from Tennessee [Mr. McKELLAR] should agree to let the nomination lie over until tomorrow, and call a meeting of the committee tomorrow morning, I think I would vote to report favorably the nomination of Mr. Hannegan notwithstanding his connection with the incidents to which reference has been made by the senior Senator from Missouri, and which were purely political in nature. After all, I have been in politics somewhat myself.

I agree with the Senator from Tennessee and the Senator from New Mexico that, to a large extent, the President of the United States should be permitted to select members of his Cabinet unless the person whom he wishes to select is clearly unfit. I do not believe that Mr. Hannegan falls within that classification.

Mr. President, I think it would be wholesome for the Senate if we were to follow a procedure different from what has been followed in the past. I think the Senator from Missouri has some right to complain, although he did sleep upon his rights. I know the Senator from Tennessee has served on the Committee on Post Offices and Post Roads ever since I became a Member of the Senate. I know how careful he is with the prerogatives of Senators. If at any time a suggestion had been made to the chairman of the committee that a hearing was desired, I am sure he would have called a meeting of the committee for that purpose. If the senior Senator from Missouri had suggested it to me, I, as the ranking member of the committee, would have been very happy to have asked that a meeting be held. But no suggestion of that nature was made.

I think Mr. Hannegan is now in a doubtful light. I think the best thing for him, and certainly the best thing for the Senate, is to stop where we are, and send the nomination back to the committee for further consideration. If that is done, and the chairman will call a meeting of the committee in the morning—

Mr. McKELLAR. Mr. President, if the Senator from Kansas [Mr. REED] or the Senator from Missouri [Mr. DONNELL] had come to me last week and asked for a committee hearing, I assure them that a meeting of the committee would have been called. But inasmuch as no statement or request concerning the matter was made, and inasmuch as an attack has now been made on a practice which has been followed by the committee for at least 35 years, I do not feel like going any further. I assert to my friend that I have not done anything dishonorable in this matter, and I shall not be placed in the position of trying to put over some sharp practice. I think that the Senator from Missouri owed the obligation to me, as well as to the Senator from Kansas of making the proper request to one or the other of us instead of coming to the floor of the Senate, as he has done, with a statement attacking the method which was followed by the committee and which has been in vogue for at least 35 years.

Mr. REED. Mr. President, I hope the Senator from Tennessee does not consider anything that I have said as being a reflection upon him.

Mr. McKELLAR. Oh, no.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. McMAHON. I ask the Senator from Tennessee if the only purpose of holding a committee meeting would not be to hear evidence as to the fitness or unfitness of the nominee, Robert Hannegan, to hold the office for which he has been nominated?

Mr. McKELLAR. That would be the purpose.

Mr. McMAHON. The Senator from Missouri [Mr. DONNELL] has had a Committee of the Whole of the Senate for 2 hours today.

Mr. McKELLAR. He has.

Mr. McMAHON. I have listened very carefully. I have not heard one single word in what we might term the Committee of the Whole which would reflect upon the integrity or fitness of the nominee.

Mr. McKELLAR. The Senator is correct. I have heard that there was considerable politics in Missouri from time to time, and that sometimes Mr. Hannegan won and sometimes he did not.

Mr. McMAHON. So, if the suggestion of the Senator from Kansas [Mr. REED] were to be adopted, and the nomination recommitted to the committee, the Senator from Missouri would consume a couple of hours to present to the committee the same speech and the same facts which he presented to the Senate today. From the speech we have already listened to we have not learned anything with respect to the qualifications of Mr. Hannegan, who has been nominated by the President to be Postmaster General of the United States, that reflect on Mr. Hannegan's fitness for the office. Therefore we would do a useless thing if we were to heed the suggestion of the Senator from Missouri.

Mr. McKELLAR. I thank the Senator from Connecticut.

Mr. BRIGGS. Mr. President, I have been very much interested in the discussion today. If the Senate will bear with me for a few minutes I shall undertake to present some of the facts which I know exist with regard to conditions in the State of Missouri.

A short time ago I was attending a national convention. It was not a political convention, but a convention of delegates, and considerable dissension was existing among the delegates from Missouri. One of the high ranking members of the convention came to me and said, "Can you not get these fellows from Missouri together?" I replied, "Get them together; hell, I cannot keep them apart." [Laughter.] That is an example of the trouble we have been having in Missouri politics. We have not been able to get together, and we have had trouble in keeping apart.

Mr. President, the very distinguished senior Senator from Missouri [Mr. DONNELL] made six points as a basis upon which we should not confirm the nomination of a distinguished son of Missouri.

With reference to the first five points I would not deign to raise my voice, as I am the youngest of the younger Members present. I do not know what the procedure of the Senate has been in the past, and I do not know what it now should be. But with reference to the sixth point which was raised by the senior Senator from Missouri, namely, that of Bob Hannegan's political life in the State of Missouri, I do feel that I can testify.

I was the president pro tempore of the Missouri State Senate when the so-called contest was filed. I believe I know as much about that contest as does any man in the State of Missouri, the distinguished senior Senator from that State not excepted. I know that Bob Hannegan was not a member of the State committee at the time to which reference has been made. He had nothing to do with filing the contest. Bob Hannegan was a Democrat. Bob Hannegan supported what the Democratic majority of the senate and house said should be done. I believe there is no Member present on this side or on the other side of the aisle who would not support his party after it had taken a stand upon a particular question.

The senior Senator from Missouri proceeds to tell the whole story, and, as several of my colleagues have said, not one word has been given to Senators to convince them or to indicate that Mr. Hannegan in any way is not efficient, that he is not honest, that he is not capable, that he would not make a good Postmaster General. In fact, the record shows that each of these qualifications exists in Mr. Hannegan's personality.

Mr. Hannegan made the most outstanding success as collector of internal revenue in the St. Louis district that has ever been made, and if the senior Senator from Missouri had taken the time to read the self-same newspapers from which he has been quoting today, he would have read editorials in which it was said that Bob Hannegan's record as a public servant was above reproach, and that he had made good. Even the *Globe-Democrat*, which the senior Senator from Missouri admits is a Republican newspaper, urged confirmation. I would not go so far as to agree with him as to some of his statements about some of the other newspapers; there have been times in which they have leaned toward the Democratic Party, but that has been rare, but only last Sunday, yesterday, I was in the city of St. Louis, and I read in the *Globe-Democrat* an editorial in which it was said that the Senate should confirm the nomination of Bob Hannegan. So if we are to bring the record in, let us bring it down to date.

I read a little story a few days ago with which I shall conclude my brief remarks. It is said that a father was trying to get rid of his son and some of his questions, and he tore up a newspaper in which there was a map of the world and said, "Son, go out and put that together, and when you have it put together come back and talk to me." In about 2 minutes the boy came back with the paper put together. The father said, "Son, how in the world have you solved

that problem so quickly?" The son answered, "Father, there was a man on the other side of the paper, and when the man was put together, I found out that the world came out all right."

Mr. President, in this case we are considering a man, and we should not consider any trivial or side issues. Bob Hannegan deserves confirmation by the Senate. He has been confirmed twice before unanimously, and it is my opinion that he not only deserves confirmation, but that he deserves it today. I hope the Senate will not vote to recommit the nomination, and turn the mosquitoes of politics loose on him only to harass him, not to do any good. I hope the Senate will stand firm.

Mr. MORSE. Mr. President, I shall detain the Senate for only a few minutes in discussing the issue before us, and to make two matters as clear as possible. First, I shall discuss a matter of procedure, in regard to confirmation of members of the President's Cabinet, and, second, I desire to refer very briefly to some of the principles and tests which I think should be applied in confirming members of the President's Cabinet.

I have listened to the distinguished senior Senator from Tennessee, for whom I have the highest respect, and let me say, he has been very kind to me by way of giving me, from time to time since I have been a Member of the Senate, some very valuable "Dutch uncle" advice. I judge from his remarks that there has grown up in the Senate over a 35-year period, not a rule, although when first discussed by him today he talked of it in terms of being a rule, but as the discussion continued we have learned that it is a practice, not a rule, a precedential practice.

As the senior Senator from Missouri pointed out, we cannot find it, as a rule, in the book of Senate rules which has been handed us as freshmen. I have made very serious study of those rules, to acquaint myself with them, so that I could be of maximum service to my constituents and to my colleagues in the Senate. But there is not such a rule, and now we are told it is a practice.

I think we need to analyze that practice. I am glad the distinguished senior Senator from Wisconsin [Mr. LA FOLLETTE], chairman of the Special Committee to Study the Need for Revision of the Senate Rules and Practices, is present, because I wish to say that, in my humble judgment, there is very strong feeling throughout the country that some of the moss-covered rules of the Senate need to be brought out for public airing and revision. I certainly know of no procedure with which I have had personal experience that is more deserving of revision—yes, abolition, by the Senate—than this one. Let us see how this so-called 29-year-old practice works in practice.

Slips of paper are passed to us in the Chamber by the clerk of the committee. Frequently we do not know when he comes to us that he is a clerk. He whispers some instructions while the debate is proceeding, and asks if we have any objection to a nomination or a list of nominations set forth on the slips. If a Senator has one ear listening to the speaker

and the other listening to the clerk, he may with a nod of his head give the clerk the impression that he favors a nomination which he has not had time duly to consider. So I say that that particular practice is a bad one, because these matters of appointment should at least receive the solemnity of due consideration by members of a committee when the clerk is in his office, not on the floor of the Senate, while debate is proceeding. Taking a poll of committee members while they are on the floor of the Senate listening to Senate debate is not a proper way to conduct committee business.

Not only that, Mr. President, but it appears that under this practice when the clerk gets reports from a majority of the committee by Senators either giving him a nod of the head or telling him that they favor the nomination, or that they will not object to the nomination, the clerk goes to the chairman of the committee, and the next thing we hear as a result of that sort of polling is a statement from the chairman of the committee, such as that set forth on page 4121 of the CONGRESSIONAL RECORD, May 3d, a statement by the distinguished Senator from Tennessee [Mr. McKELLAR], the chairman of the committee:

Mr. President, as in executive session, from the Committee on Post Offices and Post Roads, I report favorably the nomination of Robert E. Hannegan to be Postmaster General, and I ask unanimous consent for its immediate consideration.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MORSE. I shall yield in a moment. As a member of the Committee on Post Offices and Post Roads I was not even extended the courtesy of a poll by the clerk of the committee, let alone any statement from the chairman of the committee in regard to the appointment.

I now yield to the Senator from Tennessee.

Mr. McKELLAR. In the first place, I wish to read rule XXXVIII, on page 43 of the Rules of the Senate:

When nominations shall be made by the President of the United States to the Senate, they shall, unless otherwise ordered—

This is what happens to the nominations unless otherwise ordered; the Senate can take them from the desk and act on them.

They shall, unless otherwise ordered, be referred to appropriate committees and the final question on every nomination shall be, "Will the Senate advise and consent to this nomination?" which question shall not be put on the same day on which the nomination is received, nor on the day on which it may be reported by a committee, unless by unanimous consent.

So that I say to the Senator that in this very rule the Senate itself states how the matter shall be handled. The committee can make its report in writing, it can have a meeting and report it from a meeting.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. McKELLAR. I have not the floor.

Mr. MORSE. Mr. President, I wish to say that, after listening to the reading of the rule, I find not one word in it which justifies the interpretation the distinguished Senator from Tennessee

has made. There is not one word which would justify an interpretation that the chairman of the Committee on Post Offices and Post Roads has the authority, under the rule, to notify the Senate of the United States that the committee reports a nomination when at least one member of the committee was not even consulted in regard to it. If that is the sort of rule or practice the Senate is working under, I think it is high time the people of the United States understand how the Senate proceeds to carry on its important business, such as that involving the nomination and confirmation of a Postmaster General of the United States.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. AUSTIN. I wish to observe that what was read from the rule vests no authority in any committee whatever to make the "otherwise" arrangement. That rule requires action by the Senate in order to make an arrangement otherwise.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. McKELLAR. I find that in 1934 the following resolution was adopted by the Committee on Post Offices and Post Roads:

*Resolved by the Senate Committee on Post Offices and Post Roads, That, until further notice, all post office nominations shall be submitted by the Clerk of the committee to the two Senators of the State in which the post offices are situated respectively. If the two Senators recommend or okay such nominations, or, if, after submission to them, they do not object to such confirmation, the chairman of the committee is authorized and directed to report such nomination favorably to the Senate.*

That, Mr. President, has been the rule for 11 years. A majority of the committee acted exactly in accord with that rule. The majority of the committee approved the nomination.

The Senator from Oregon said the nomination was not submitted to him. I want to tell the Senator why it was not submitted to him. My clerk said he hunted everywhere for the Senator and could not find him. The Senator was not on the floor of the Senate during that time. I do not know where he was. But he was not on the floor of the Senate. That is why it was not submitted to him.

Mr. MORSE. Mr. President, I want to reply immediately to that statement. I wish to say that if the clerk made that statement to the distinguished Senator from Tennessee he did not help the cause of truth by the statement. I think the Senator from Tennessee is well aware of the fact that I was in the Chamber while the Senator was here on the very day in question.

Mr. McKELLAR. The Senator was here, but he was not here at that time.

Mr. MORSE. The Senator from Tennessee is likewise mistaken about that. I held a conference with the distinguished minority leader and the distinguished Senator from Missouri [Mr. DONNELL] on the floor of this Senate in regard to this matter after I heard the statement of the Senator from Tennessee.



see that he was reporting the nomination to the Senate. I sat in my chair when the distinguished Senator from Tennessee made his statement, as I have quoted it from the CONGRESSIONAL RECORD. I immediately proceeded to discuss on this side of the aisle with some of the older Senators what course of action should be followed in regard to the report of the Senator from Tennessee. I was advised, and followed the advice, that what we should do was to proceed to ask the minority leader to request that the nomination go over until the next day. That was done by the minority leader [Mr. WHITE].

All I want to say to the distinguished Senator from Tennessee is that as a member of the Committee on Post Offices and Post Roads I think that each member of the committee is entitled to be contacted by the chairman before he comes into the Senate and submits a report in behalf of the committee involving the nomination of a Postmaster General.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MORSE. I will not yield until I finish this part of my statement. I want to say to the distinguished Senator from Tennessee that I have heard his discussion in regard to the conduct of the chairman of a Senate committee. I have never been a chairman of a Senate committee, but I have been the chairman of many committees, and I never would think of making a report to the parent body of a committee of which I was chairman until I knew that the report represented the point of view, or set out the view, of each member of the committee. I think that each member of the committee was certainly entitled to have his view ascertained by the chairman of the committee before the chairman made any report in behalf of the committee.

Let us assume a case; it does not happen to be this case, but to illustrate and discuss the principle of procedure involved I think the hypothetical is a good one. Let us assume that I had reason for objecting to Mr. Hannegan's nomination on the basis of one of the tests I shall mention later. I think the procedure that is followed by the polling method, and by completely overlooking one member of the committee—and I do not know whether there were others, for I have not inquired—

Mr. McKELLAR. If the Senator will yield I will tell him what the facts are.

Mr. MORSE. I yield.

Mr. McKELLAR. The clerk of the committee found all the members who were in Washington with the exception of two. One or two of the members of the committee were in Europe. One or two of them were on the Pacific Coast. There were only two members of the committee in Washington whom the clerk was unable to find. One was my distinguished friend the Senator from Delaware [Mr. BUCK] and the other was the Senator from Oregon who now has the floor.

The majority of the committee has acted. Eleven out of 19 have acted. I will give the names of Senators who were not in Washington.

The Senator from New York [Mr. MEAD] was ill, and of course he could come back and, like the Senator from Oregon, say that he did not have any notice.

The Senator from Nevada [Mr. SCRUGHAM] was out of the city. He was ill.

The Senator from Mississippi [Mr. EASTLAND] was out of the city.

The Senator from Delaware [Mr. BUCK] was not on the floor.

The Senator from Oregon [Mr. MORSE] was not on the floor at the time the committee was polled.

The Senator from Massachusetts [Mr. SALTSTALL] was in Europe.

A majority of the committee has acted on the nomination. Does the Senator from Oregon contend that because he was not in the Chamber when the clerk polled the committee the whole procedure should be set aside in order to publish again a political campaign of 5 years ago? Is that the contention of the Senator? If it is, I want to say that I am opposed to changing the rule about polling of committees. I think it is a very excellent rule and was applied in a very excellent way to this particular case.

If the Senator from Oregon had come to me and asked me for a hearing, I have no doubt he would have gotten it, but he did not ask me for it, nor did the Senator from Missouri, nor did any other Senator who is now opposing the confirmation of the nomination.

Mr. MORSE. If the Senator from Tennessee will let me finish he will find out what my contention is, and it is not the contention which apparently the Senator would put in my mouth. However, he is in error whenever he says I was not on the floor when the poll was taken. However, if I had been absent, which I was not as the Record will show, he owed me the consideration of taking the matter up with me before he made his report to the Senate.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HICKENLOOPER. May I ask the distinguished Senator from Tennessee a question?

Mr. McKELLAR. Yes, if the Senator from Oregon will permit it.

Mr. MORSE. I yield for that purpose.

Mr. HICKENLOOPER. As a member of the Committee on Post Offices and Post Roads I signed the document that was circulated among Senators because I approve the appointment of Mr. Hannegan, and I still approve it. I shall, however, on the basis of principle, support the motion of the Senator from Missouri. I think perhaps if the motion should prevail it would not change my opinion as to Mr. Hannegan's qualifications to hold this office. But the question I should like to ask the Senator from Tennessee is: What opportunity did the members of the Committee on Post Offices and Post Roads who were absent or who were not contacted have to file minority views as should be their privilege?

Mr. McKELLAR. I think very active minority views are being filed, or being put before the Senate now, and Senators have every opportunity, if they have a

majority of the Senate with them, to defeat the nomination. But when there are no charges made of fraud or wrongdoing or improper conduct on the part of Mr. Hannegan, I do not think the Senate would do itself any great credit by going into this ancient political history.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield further to the Senator from Iowa.

Mr. HICKENLOOPER. I should like to say that while I am of the opinion that Mr. Hannegan's nomination should be confirmed, I still believe that in orderly procedure, every Member of the Senate, whether he be a member of a committee or of the Senate in a so-called Committee of the Whole, should have every right to present his objections or to advance his approval. It is on that theory that I think Mr. Hannegan will not be hurt by a formal hearing of this matter before the committee, if it is necessary. I agree with the Senator from Oregon that this nomination should be recommitted to the committee, in the interest of common parliamentary fairness and in the public interest, for a full examination, which Mr. Hannegan can no doubt meet with flying colors if there is nothing wrong with him; and if there is something wrong with him that should disqualify him, it is time that the committee, the Senate, and the public knew about it.

I repeat that I have no reason to change my mind about Mr. Hannegan. I believe that he is an able man, and I shall support him, unless something unusual develops in connection with the consideration of his nomination. I shall, however, support the recommitment of the nomination to the committee, for such opportunity as any Member may wish to present his objections or his approval.

Mr. MORSE. Mr. President, I thank the Senator for his remarks.

To proceed with the hypothetical situation which I was discussing I wish to point out that under the practice which we have seen illustrated in this case, when a member of a committee is not polled, assuming that he has objections to the nominee concerned, he finds himself in the position of having the chairman of the committee announce on the floor of the Senate a report from the committee based upon a poll about which the Senator concerned has never been informed. Such a practice puts a Senator who may want a committee discussion of a nomination in a very embarrassing position, in that he must either then and there raise objection, which may be misinterpreted, or he must go to the chairman of the committee and say, in effect, "Mr. Chairman, you did not talk to me about it; but now I should like to have you join with me in an effort to have the nomination referred to the committee."

Any such procedure as that is very unsound parliamentary practice. No Member of the Senate should be put in such a position in relation to the chairman of any committee. On the other hand, I believe that members of committees are entitled, from the chairman of the committee, to be fully advised in

regard to the business of the committee, and in regard to reports which the chairman of a committee intends to make to the Senate on behalf of the committee. That was not done in this case. The practice which was followed in this case should be discontinued by all committees.

My criticism is not a personal criticism of the Senator from Tennessee, but of what is, in my judgment, a very bad practice.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MORSE. I should like to finish my thought.

I wish to make it perfectly clear that what I am saying is not a personal criticism of the Senator from Tennessee. I would make the same criticism of the chairman of any committee on which I might be serving if I found him following a 35-year-old practice of the Senate which, in my judgment, does such great injury to the rights of individual Members of the Senate, and puts us in a position where we must go to the chairman who follows the practice which was followed in this case and say, "Mr. Chairman, I should like to have this nomination recommitted to the committee."

I now yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator heard the report made. That was the time for him to act. It was made to the Senate. It was not made secretly. It was made openly. The report was made, and unanimous consent was asked for the consideration of the nomination. If I correctly recall, the Senator did not object then. He is very able in objecting. He has objected 3 or 4 days after he heard the report read by the chairman of the committee. Unanimous consent was asked for the consideration of the nomination; and yet the Senator claims that he has not been treated fairly. I would not treat the Senator unfairly for anything in the world.

Mr. MORSE. The minority leader did object, which made objection by me at that time unnecessary.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KILGORE. I agree with the Senator from Oregon, and would agree to support a motion to the effect that the Senate abide by its own rules.

On three different occasions this subject has been brought up in connection with specific nominations, but nothing has been done with regard to the prevailing practice.

One of the first things I was told as a Member of this body was that the rules were honored largely by their violation. I take issue with the distinguished Senator from Vermont [Mr. AUSTIN], whom I respect highly. My coattails have been very nearly torn off in the corridors around this Chamber, in efforts to have me signify my approval of nominations of general officers of the United States Army by initialing reports, in order that the nominations might be reported to the Senate without a meeting of the committee. A subcommittee of the Committee on Military Affairs which was

formed to investigate certain nominations was discharged a few months ago because it took a little time to conduct the investigation.

I would most heartily agree with the Senator from Oregon if his motion were to the effect that the Senate should obey its own rules. I have always taken issue with attacks on the violation of a rule when they occurred in connection with the consideration of a particular nomination.

Mr. MORSE. Mr. President, I believe the point of the Senator from West Virginia is well taken. I am more interested in following correct procedure than I am in having the rule applied to this particular case now that the damage has been done to orderly procedure.

However, I am using this case—I believe legitimately—to point out what I think is a very bad practice in the Senate.

Mr. KILGORE. Mr. President, will the Senator further yield?

Mr. MORSE. I yield.

Mr. KILGORE. Again we are confronted with the proposal to change the rules in the middle of the game. We have violated the rules so frequently that I object to bringing it up in connection with one particular case. If we were to consider the rule itself, I think we would get much further. That is the only point I intended to make. I do not like to call attention to the violation of the rule in the case of a specific individual and make him suffer because of a violation which has persisted for 35 years.

Mr. MORSE. Mr. President, I am counting on the innate sense of fairness of the Senator from Tennessee, after the discussion is over, to suggest, on his own initiative, that the nomination be recommitted to the committee for report at a later date.

I now wish to take up the comment of the Senator from Tennessee with regard to failure on my part to make objection when he made his general report on May 3. Let us go to the Record and see what happened on May 3.

Immediately after the Senator from Tennessee made the suggestion that the Senate proceed to consider the nomination, the minority leader [Mr. WHITE] in keeping with the duties of his position discussed the matter with the Senator from Tennessee, and it was agreed that the nomination should be passed over until a later date. Several of us had made it clear to the Senator from Maine that we objected to the procedure which had been followed, and that we wished to have the matter go over for more deliberate consideration.

The Senator from Maine pointed out to us that in view of the fact that the nomination was to be passed over anyway, nothing further needed to be done on that occasion. I think he was quite right in that advice.

I have heard the Senator from Tennessee use the argumentative technique of pointing out that certain Senators did not raise an objection at the time. Surely I need not tell him that it is not necessary to raise a formal objection at the time when objection has already been made by other Senators and we have been notified that the nomination is to be passed over. It has been passed over,

and we are now proceeding to discuss what procedural action should be taken for further consideration of the nomination by the committee.

I disagree with the statement made by the Senator from Kansas to the effect that the Senator from Missouri slept on his rights. I do not know what rights he slept on. The moment the polling statement was handed to him he made objection. He told the clerk that he would not sign it, but that he wished to think it over. The record is perfectly clear that what he did was to proceed to discuss the matter with the senior Senator from Maine, the minority leader, and with the Senator from Ohio.

I have not heard the Senator from Missouri say that he intends to vote against the confirmation of Mr. Hannegan's nomination. If I correctly interpret his remarks, they lead to the final conclusion that he believes that the committee ought to consider the nomination and decide upon what procedure should be followed in the face of his objections.

I wish also to point out that on the basis of what has been said up to this time, the Senator from Missouri certainly has made a prima facie case to this extent, and to this extent only: He has raised certain objections based upon considerations which I believe lay the foundation for an inference that possibly Mr. Hannegan's participation in political manipulations in the State of Missouri might raise questions as to his qualifications on the ground of character. I think the Committee on Post Offices and Post Roads should consider the objections raised by the senior Senator from Missouri.

That leads me to the remarks which I wish to make in regard to the tests which I have always applied, and always will apply, until someone can show that I am in error, in connection with the matter of nominations to the Cabinet. Earlier this afternoon the Senator from Tennessee made some reference to my having voted for the confirmation of the nomination of Mr. Wallace. At that time I tried to explain to him that he was mistaken as to the basis on which I voted for the confirmation of that nomination. I shall now try to explain in greater detail the tests which I think should be applied by the Senate in considering nominations.

At the time of the Wallace nomination I made as thorough a study as I could of the question of rejections of Cabinet nominations in the history of this country. The record shows that there have been seven rejections, out of a total of almost 400 nominations. One of them occurred in the administration of Andrew Jackson; four in President Tyler's administration; one in President Johnson's administration; and one in President Coolidge's administration.

When we make an analysis of those great Senate discussions we find, in my humble judgment, that there are four major tests, and then I think another one which runs through all four of them. The first is the character test. Is the man of good character, as that term is generally used by all? Second, is he one who believes in our form of gov-



ernment and who seeks through our form of government to bring about any particular reform which he advocates? Third, is he one who is not disqualified because of some professional or personal or financial interest in the job, so that he cannot render impartial, honest service? The Senate will remember that at the time of the Warren controversy in 1925, when President Coolidge had nominated Warren to be Attorney General, the charge was made that his connection with certain great business interests or organizations in the State of Michigan and throughout the country rendered it questionable whether he could meet the test of impartiality as Attorney General, when it came to administering the antitrust laws. It is not for me to say whether the Senate was right or wrong, although on the basis of a study of the record, I am inclined to believe that had I been a Member of the Senate at that time I would not have voted for confirmation of the nomination of Mr. Warren. I say that because, looking at the situation as it is now set out in the books, and records, I have grave doubt whether his professional connections met the test I have just mentioned.

Then, of course, there is the fourth test of mental soundness. At the time of the debate on the nomination of Mr. Wallace, when I discussed this particular test with some of my Republican colleagues, one said to me, "What do you mean by that, Wayne? Do you mean that he just is not nuts?" I said, "What I mean is that the test of mental soundness, as we apply it in the law, should be applied to any Cabinet nominee or to any nominee proposed by the President for any office."

I applied what I consider to be the four major historical tests to the Wallace nomination, and in my honest judgment he met the tests, and on the basis of those tests I voted for the confirmation of his nomination.

On the basis of those tests I will vote for the confirmation of Mr. Hannegan, unless I can be shown that he does not meet those tests.

There is also a fifth test which I think we must take into account, namely, the so-called test of competency. It is a highly subjective test. It is one which must be watched in its application, lest there be a possibility that one may be influenced by partisanship. I think it is sometimes rather easy for us to assume that the fellow in the other party is not competent, when what we mean is that his success has shown his outstanding competency, to our party's disadvantage. Nevertheless, I think it is true that when we function under the advice and consent clause of the Constitution, insofar as the confirmation of nominations is concerned, we should give weight to the question of competency, from the standpoint of whether in the particular job for which the President has appointed an individual he will be able to render service which will be for the public good and will protect the interest of our citizenry as a whole. I felt that Mr. Wallace met that test, and I have yet to be shown that Mr. Hannegan does not meet it.

However, I think it is only fair that we have at least a committee hearing on the nomination, to study the nominee's qualifications from the standpoint of meeting these tests.

Senators may disagree with me in respect to its application as a legal proposition, but let me point out that the advice-and-consent clause of the Constitution is in the form of language of limitation. The appointive authority is given by the Constitution to the President. Hence, I agree with the Senator from New Mexico [Mr. HATCH] in essence, I think, if I correctly understood the remarks he made a few minutes ago. I agree if by those remarks he meant that a presumption exists in favor of a Presidential nomination. I say that because we do not have joint appointive authority with the President. The framers of the Constitution did not use such language.

What the framers of the Constitution did say, in speaking of the Presidential appointive power, was—

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the United States.

In my judgment the advice-and-consent language of the Constitution is language of limitation. It means that the presumption should be resolved in favor of the President, unless we find that the particular nominee falls short in respect to one of the tests I have enumerated. There is nothing among those tests, and I find nothing in the debates on the great historic cases, which would justify the making of any finding on the basis of partisanship. By that I mean that I do not think we have a right to sit here and do either one of two things: First, object to the nomination of a Cabinet officer because we do not like his politics or because he is of a political party different from ours. I think we should act non-partisanly, from that standpoint. Neither do I think we are justified in applying the test "Would we appoint him if we were in the appointing position?" That right was not given to us by the advice-and-consent clause of the Constitution. The framers of the Constitution did not say, "The President and a majority of the Senate shall appoint Cabinet officers."

Neither do I think a Cabinet nomination should be made use of in the Senate for carrying on political warfare against the President, regardless of the party to which he may belong. I do not intend, in connection with the consideration of any Cabinet appointment, to seek to make political capital out of it. I do not think a single thing said today by the distinguished senior Senator from Missouri [Mr. DONNELL] would justify any such interpretation of his remarks. However, such interpretations already have been made on the floor of the Senate.

When another Member of the Senate raises a question such as the one which has been raised in this case, namely,

whether the particular nominee is qualified from the standpoint of the tests I have enumerated, I think I have a duty, as a Member of the Senate, to say to the committee concerned with the nomination, "You should hold a hearing on it."

If I knew Mr. Hannegan—and I do not—and if I were a close friend of his, as his friend I would say that I think it is in his interest, and certainly in the interest of the great office in which he is about to serve, to have any investigation that is requested by a member of the committee or by a Member of the Senate.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LUCAS. The Senator from Oregon made an interesting legal argument on the subject of the requisite qualifications of a person seeking appointment to a Cabinet position. I have enjoyed listening to him. I am wondering whether there is anything in his opinion, as expressed in the record up to the present moment, which would prevent Mr. Hannegan from qualifying under the tests which the Senator laid down.

Mr. MORSE. I believe that if the record in its present form is all the evidence we are to have before us when we vote on the nomination, and if the Senate does not see fit to allow the Committee on Post Offices and Post Roads to interrogate the senior Senator from Missouri [Mr. DONNELL] in regard to the implications contained in some of the material which he spread upon the RECORD today, I shall be forced to conclude that a prima facie showing has been made which justifies me in insisting that Mr. Hannegan be investigated on two grounds. The first ground would be that of character; the second, whether or not he has such professional or personal interest in the office of Democratic National chairman as to prevent him from administering impartially the duties of Postmaster General.

I make that statement on the basis of what I have heard today. Charge after charge was made, and material was presented to the effect that Mr. Hannegan had conducted himself in what I should conclude to be a corrupt manner in regard to the Missouri political disputes to which the senior Senator from Missouri has referred.

Furthermore, I say that the statements made by the Senator from Missouri, if accepted, on the basis of his experience as a qualified witness in the case, give me some concern as to whether Mr. Hannegan would use his office of Postmaster General for political purposes. However, I do not ignore the strength of the presumption in favor of the President in this instance, and hence I would prefer to have the matter go to the committee for further study.

I am inclined to believe that if and when rebuttal material is presented to the committee, perhaps Mr. Hannegan's friends will be in position to make a clean showing for him.

Unless I misunderstood the senior Senator from Missouri, he did not, contrary to what has been stated by the Senator from Connecticut [Mr. McMAHON], present before the Senate as in Committee of the Whole the evidence

which he thinks should be brought before the Committee on Post Offices and Post Roads. He raised only a question in support of his request that the committee investigate and ascertain whether or not the evidence to which he has referred can be supported. In my judgment, we have not listened this afternoon, contrary to what the Senator from Connecticut has said, to a presentation on the basis of which Mr. Hannegan should be disqualified or rejected by the Senate. The senior Senator from Missouri directed his remarks only to the motion made by him that the Committee on Post Offices and Post Roads hold a hearing to consider charges which then could be brought against Mr. Hannegan's qualifications. From a procedural standpoint, I think it not only fair to all of the Members of the Senate, particularly to the members of the Post Offices and Post Roads Committee, to Mr. Hannegan, and to President Truman that this nomination be sent back to committee.

Mr. LUCAS. I ask the senior Senator from Missouri, What are the charges as they relate to what the Senator from Oregon is now addressing himself, namely, corruption in the political situation in Missouri? I should like to have the Senator from Missouri tell me, if he can, what he expects to prove in respect to political corruption as it may relate to Bob Hannegan of Missouri.

Mr. DONNELL. Mr. President, if the Senator from Oregon will yield to me, I may say that in answering the question it would be necessary again to bring the entire situation before the committee as I discussed it for 2 hours this afternoon. The statement made by the distinguished Senator from Oregon is correct, namely, that the position I take is that the matters to which I have referred should be heard by the committee. I am not undertaking to pass on what the decision of the committee or of the Senate should be. I have stated charges which have been made repeatedly day after day in the press of the State of Missouri with respect to the election of Mr. Hannegan, with respect to the incident of his going to Governor Park and asking that he not dismiss the election board, and with reference to other matters which I have mentioned. All of them, to my mind, raise a question which should be considered by the committee.

Furthermore, Mr. President, I am of the opinion that this is not a matter upon which the committee should be put in the position of having made a report merely because there had been a poll taken of a majority of the members of the committee—perhaps all with the exception of the Senator who is seated on my right, the distinguished Senator from Oregon [Mr. MORSE]. To my mind the committee itself should make a report.

During the course of my remarks I pointed out several additional reasons why the committee should hear this entire matter. I also raised the point, if the Senator will recall, that the importance of filling this Cabinet office is such that the committee should consider the qualifications of the individual who has been appointed to the office. The fact that the Postmaster General is generally

regarded as one who exerts considerable influence in the entire field of patronage, and the fact that Mr. Hannegan has indicated his intention of retaining the post of Chairman of the Democratic National Committee while at the same time occupying the office of Postmaster General, whereas Postmaster General Walker found in his experience that the duties of the office should occupy the full attention and energy of the Postmaster General, are all facts which I think the committee should take into consideration. I think it is the duty of the committee, and the right of the Senate to insist that the committee look into these questions and ascertain whether or not, on the basis of the material presented, the nomination should be reported favorably to the Senate.

Mr. LUCAS. Will the Senator yield?

Mr. MORSE. I yield.

Mr. LUCAS. I should like to ask the Senator from Missouri to answer a question. I do not care to have him make another 2-hour speech on the matters concerning which he has already addressed the Senate; but I should like to know whether, if the nomination is recommended to the committee, the Senator from Missouri will produce any more testimony tomorrow than he has presented today?

Mr. DONNELL. I stated earlier today that in my opinion Mr. Hannegan should be called before the committee. The committee should hear whatever statement he wishes to make. The committee should be permitted to cross-examine him. In view of the fact that Mr. Hannegan's statements, as reported in the press, do not coincide with, for example, Attorney General McKittrick, the committee should call other witnesses so that it can undertake to consider the question, not solely on the basis of the *ex parte* statement of Mr. Hannegan but also the statements of witnesses which should be presented. If the nomination is recommended to the committee I shall undertake to designate the names of several gentlemen whom I shall ask the committee to summon to Washington for the purpose of being interrogated by the committee. At the proper time I shall be glad to give to the committee the names of the gentlemen whom I have in mind.

Mr. LUCAS. Mr. President, as I understand the situation, what the Senator from Missouri wants to do is to have the Senate go over the entire contest between himself and others who have been associated with politics in the State of Missouri, and consider the situation in connection with his election to the high office of Governor. It seems to me that unless the Senator from Missouri himself can present certain proof—and he has not done so up to the present time—with reference to charges of corruption or fraud of some kind in connection with the election, proof which goes directly to Hannegan, and unless the Senator himself can present proof, not implication or inference, which goes directly to the nomination of Hannegan for an important Cabinet position, the nomination should not be recommended to the committee. If the Senator cannot furnish any more evidence than he has furnished this afternoon, and unless the Senate

wishes to go into the field of inference and innuendo, in my humble opinion, Mr. Hannegan meets every required test which the Senator from Oregon has laid down.

Mr. DONNELL. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. DONNELL. I undertake to say that the newspapers published in the city of St. Louis, to which I have referred, presumably employ honorable men to report in the columns of those papers. Mr. Curtis A. Betts, of the city of St. Louis, who has been with the Post-Dispatch many years, has made statement after statement in the newspapers, and one man I would have before the committee would be Mr. Curtis A. Betts, of St. Louis, of the St. Louis Post-Dispatch.

In my opinion, the matter of the selection of a Cabinet officer by the President is subject to the advice and consent of the Senate. In my judgment, the Senate should know the facts, should investigate, should have the opportunity for full and complete hearing, particularly in view of the fact that these various statements by presumably reputable newspapers have come out day after day and day after day, as well as statements of other well-known persons I have mentioned, like the chancellor of Washington University, and others. We are entitled to have witnesses before the committee who may assist it in arriving at a conclusion for itself as to the qualifications of the nominee.

Mr. LUCAS. Mr. President, will the Senator from Oregon yield further?

Mr. MORSE. I yield.

Mr. LUCAS. I ask the distinguished Senator from Missouri why he did not object to Hannegan in 1942 and 1943, when the Senator was Governor of his State and when Mr. Hannegan was appointed Commissioner of Internal Revenue, an office involving people and parties and votes in his own State?

Mr. DONNELL. I will answer the Senator from Illinois by stating, first, that I was not a Member of the United States Senate.

Mr. LUCAS. No; but the Senator knew the facts.

Mr. DONNELL. There were thousands of people in the State of Missouri who knew the facts, probably knew them even more intimately, in many instances, than I did personally, who can testify before the Senate committee. There was no hearing, as a matter of fact, before the Senate committee, so far as I have discovered from the record.

Furthermore, it was not my business to come here and volunteer something in regard to that matter. Had the Senate wanted my opinion, I would have been glad to give all the facts which I had within my possession. I would have been glad to submit the names of any and all persons in Missouri who I thought could enlighten the Senate.

I do not deem it a failure on my part because, as Governor of the State, I did not intervene in the business of the Senate of the United States. I do not regard that as any reflection upon my official or personal conduct. Does that answer the Senator's question?



Mr. LUCAS. It answers the question to the satisfaction of the Senator from Missouri, of course, but the Senator was the great Governor of a great State, having the interests of the public at heart all the time. He knew all about Bob Hannegan at that particular hour, and he knew he was being appointed as collector of internal revenue for the district of St. Louis, in his own State, in the largest city of his State. The matter to which he has referred was fresh in his mind at that particular time, and yet as Governor of this great State he sat by silently and never uttered a protest against Hannegan; but he now comes before the Senate and wants a long-winded investigation, from now until next July, for that is what it means, involving someone, some place along the line, who does not like Hannegan. That is all I can see in it.

If the Senator is interested now in investigating Hannegan as to his qualifications for the Cabinet position of Postmaster General, he should have been interested at that particular time, and he should have been interested when there was sent to the Senate the nomination of Mr. Hannegan to be chief internal revenue officer of the United States, a position which carries greater responsibility, from the standpoint of integrity and honesty and decency than almost any other position I know of in America. I cannot understand why the Senator becomes so excited at this late hour, some 4 or 5 years after all this happened. I think I know, though.

Mr. DONNELL. I think I know, too. It is because I am a Member of the Senate of the United States, and of the Committee on Post Offices and Post Roads. As a Senator of this great country I am entitled to know the facts, and as a member of that committee I am entitled to have the committee pass on the facts. It was not my duty as the Governor of the State of Missouri, as the Senator well knows, to neglect my duties in Missouri and come to Washington and intervene in matters here, when we had two United States Senators, Senator Clark and Senator Truman, who were well qualified and able to present matters which they thought proper to present. There was no duty resting on me as Governor, but there is a duty on me as a Senator, and I have performed it to the best of my ability, to disclose the facts so far as they are disclosed to me.

Mr. President, I am not stating that I am asking a Member of the Senate to vote against Mr. Hannegan. I am not stating that I am going to vote against him, but I do state that for the various reasons I have indicated, we are entitled to have this matter heard by the proper committee of the Senate, rather than to have a report submitted without the committee having heard the facts, without the committee investigating all these matters.

If the Senator or I were a member of the board of directors of a bank and the president appointed a man cashier, and charges of this kind were made, we would certainly investigate them. I, as a Senator, have a duty upon my shoulders at this time which I did not have on my

shoulders when I was Governor of the State of Missouri.

Mr. MORSE. Mr. President, I can summarize my position rather quickly, because I do not care to detain the Senate. I think, however, we should keep in mind the import of the motion which is before the Senate. The motion is to recommit the nomination to the committee. It does not follow that by sending it back to the committee there necessarily will be ordered by the committee an investigation of Mr. Hannegan, but it does mean that when it is recommitted to the committee, the committee then will have the right and the duty of determining what procedure it will follow thereafter.

It may be that after this nomination is recommitted to the committee, the committee may decide against any further investigation, and report back to the Senate recommending confirmation. On the other hand, the discussion before the committee may disclose certain evidence and testimony which would cause the committee to want to investigate further, as has been suggested by the Senator from Missouri.

I wish to make very clear, as clear as I possibly can, that all I am urging is an objection to the procedure which has been followed in this case. I desire to add that I think every Cabinet nomination should be referred to a committee for full committee discussion and report. I think it should be done in defense of the President who makes the nomination. I think he should be in a position, in case anything should happen subsequent to the nomination, or being able to say that the nomination was investigated by the appropriate Senate committee, and that it was approved on the ground that the appointee met the tests to which I alluded earlier in my remarks.

The Senator from Illinois raises the question whether there is anything in the record which would support the motion. I wish to say, as one who wants to believe that Mr. Hannegan can meet these tests, that in fairness to him and in fairness to President Truman, the Committee on Post Offices and Post Roads should have this matter under consideration, for the reason that despite the fact that Senators on the other side of the aisle may have the votes to confirm the nomination, I venture the suggestion that if they do, Mr. Hannegan will take his office under a cloud, when it may not be necessary that there be any cloud, if they do not agree to have the committee consider the nomination fully. I think Senators owe it to Mr. Hannegan, and I think they owe it to President Truman, to see to it that the committee considers the nomination.

I wish to conclude with the suggestion that in times so difficult as these, when we come to the question of a Cabinet appointment and the confirmation thereof by the Senate of the United States, Senators on both sides of the aisle should work together on the nomination to ascertain the facts in regard to the nominee, and submit a non-partisan report, demonstrating that the nominee meets the tests I have suggested this afternoon. If the Committee

on Post Offices and Post Roads is not given the opportunity, by recommitment, to check Mr. Hannegan's record by these tests, then I think those on the other side of the aisle open themselves up to the charge that they are not willing to have the nominee undergo the microscope of an investigation.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TAYLOR in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Austin	Hayden	O'Mahoney
Ball	Hickenlooper	Overton
Bankhead	Hill	Radcliffe
Bilbo	Johnson, Colo.	Reed
Brewster	Johnston, S. C.	Revercomb
Briggs	Kilgore	Russell
Burton	La Follette	Smith
Butler	Langer	Stewart
Chavez	Lucas	Taft
Gordon	McFarland	Taylor
Donnell	McKellar	Tunnell
Downey	McMahon	Tydings
Ellender	Millikin	Wagner
Ferguson	Mitchell	Walsh
Green	Moore	White
Hart	Morse	Wiley
Hatch	Murdoch	Willis
Hawkes	O'Daniel	Young

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum is present.

Mr. DONNELL. Mr. President, I ask for the yeas and nays on my motion.

The yeas and nays were ordered.

Mr. LA FOLLETTE. Mr. President, I shall not delay the Senate at this late hour to make any extended remarks in connection with this nomination. I desire to say, however, that I am happy that the Senator from Tennessee stated he had not consulted Mr. Hannegan and did not know what Mr. Hannegan's wishes might be in connection with the issue now presented to the Senate, because I personally believe that it is a disservice to Mr. Hannegan not to grant the request, which I believe to be sincerely made, by a member of the Committee on Post Offices and Post Roads to give him a chance to present to the committee his proposal that there should be a hearing on this nomination.

I am convinced that Mr. Hannegan's service as a member of the Cabinet and as Postmaster General would, in such event, start off with a much better public reaction than it will as a result of what I fear will be a strict party vote in the Senate as between Republicans and Democrats on the pending motion.

Let me say, however, that after having listened to the speech, or to most of the speech of the Senator from Missouri, if the Senate votes down the pending motion I shall support the nomination of Mr. Hannegan, because I do not believe that in his statement the Senator from Missouri has presented any probative evidence which reflects upon the character or integrity or the ability of Mr. Hannegan.

But, after all, I think in times such as these we should strive for as much unity as can be obtained in connection with the selections which the new President of the United States may make involving any changes he thinks necessary or advisable in his official family. Knowing

nothing about the details of the Missouri political situation, but knowing something about Mr. Hannegan's brief administration as Commissioner of Internal Revenue, I feel that he has, insofar as my information goes, the ability and the character to discharge the responsibilities of the high office to which he has been nominated.

I think it unfortunate that the majority leadership should have determined upon the course of denying to a member of the committee a right at a duly called meeting of the committee to present his case and thus to give the committee an opportunity to determine it. I am sorry that that course has been followed.

Mr. LANGER. As the one member of the committee who demanded a hearing at the time that the petition was circulated by the clerk of the Senate Committee on Post Offices and Post Roads I wish to state that the reason why I wanted the hearing was not because of any allegations made against the honesty or the integrity or good character of Mr. Hannegan. There were none.

In order to keep the record straight on the matter of the pending confirmation, I simply wish to invite the attention of the Senate to what I said upon the Senate floor on the 13th day of May 1943. It is my conviction that a member of the Cabinet should not be chairman of any political party and that the chairman of a political party should not hold any Federal position.

What have we here? In the instant case all the 357,000 employees of the Post Office Department are under the Hatch Act and the Civil Service Act, both of which prohibit them from taking part in politics. Certainly it is inconsistent to say that no employee of the Post Office Department shall be in politics and then exempt the head of the Department—not only exempt him, but permit him to be head of a major political party, and to be in a position to scare and dictate to 357,000 employees, while if one of them answers back—if one of them objects to something the Postmaster General says—he is guilty of a violation of law and can be removed from office.

Mr. President, it has been my hope that with the new leadership provided by President Truman, the constitutional amendment which I proposed, that only one individual from any State should be appointed to the Cabinet, will be adopted. As I stated upon the floor of the Senate some time ago, we have recently had the spectacle of one-half of the entire Cabinet coming from New York State alone. Also, there is a splendid opportunity for President Truman to assume leadership in the movement calling for direct election of the President by the people. The time has come in the life of our great Republic when the electoral college should be abolished and the people themselves, by direct vote, should nominate and elect their President.

I agree with what the senior Senator from Wisconsin [Mr. LA FOLLETTE] has said. From what has occurred on the floor of the Senate today there is no evidence which would cause me to vote against the nomination; and the Presi-

dent should have the right to select his own Cabinet.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri [Mr. DONNELL] to recommit the nomination of Mr. Hannegan to the Committee on Post Offices and Post Roads. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Legislative Clerk called the roll.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD] and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent inspecting various concentration and prison camps in Europe.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GERRY], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from North Carolina [Mr. HOEY], the Senator from Washington [Mr. MAGNUSON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS] are absent on public business.

The Senator from Nevada [Mr. McCARRAN] and the Senators from Arkansas [Mr. MCCLELLAN and Mr. FULBRIGHT] are absent on official business.

The Senator from Mississippi [Mr. EASLAND] is absent on official business for the Senate Naval Committee.

I further announce that the Senator from Texas [Mr. CONNALLY], who is absent as a delegate to the International Conference in San Francisco, has a general pair with the Senator from Michigan [Mr. VANDENBERG] and the Senator from Utah [Mr. THOMAS] has a pair with the Senator from New Hampshire [Mr. BRIDGES].

I am advised that if present and voting the Senators whose absences have been announced would vote "nay."

Mr. WHITE. The Senator from New Hampshire [Mr. BRIDGES], who is necessarily absent, has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Michigan [Mr. VANDENBERG], who is absent on official business as a delegate to the International Conference at San Francisco, has a general pair with the Senator from Texas [Mr. CONNALLY].

The Senator from Vermont [Mr. AIKEN] is absent by leave of the Senate.

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business visiting various concentration and prison camps in Europe.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Wyoming [Mr. ROBERTSON], the Senator from New Hampshire [Mr. TOBEY], and the Senator

from Iowa [Mr. WILSON] are detained on official business.

The result was announced—yeas 28, nays 35, as follows:

#### YEAS—28

Austin	Gurney	Revercomb
Ball	Hart	Shipstead
Brewster	Hawkes	Smith
Buck	Hickenlooper	Taft
Burton	La Follette	White
Butler	Langer	Wiley
Capper	Millikin	Willis
Cordon	Moore	Young
Donnell	Morse	
Ferguson	Reed	

#### NAYS—35

Bailey	Johnson, Colo.	O'Mahoney
Bankhead	Johnston, S. C.	Overton
Bilbo	Kilgore	Radcliffe
Briggs	Lucas	Russell
Byrd	McFarland	Stewart
Chavez	McKellar	Taylor
Downey	McMahon	Tunnell
Ellender	Maybank	Tydings
Green	Mitchell	Wagner
Hatch	Murdoch	Walsh
Hayden	Murray	Wheeler
Hill	O'Daniel	

#### NOT VOTING—33

Aiken	George	Pepper
Andrews	Gerry	Robertson
Barkley	Glass	Saltonstall
Bridges	Guffey	Scrugham
Brooks	Hoey	Thomas, Idaho
Bushfield	Johnson, Calif.	Thomas, Okla.
Capehart	McCarran	Thomas, Utah
Chandler	McClellan	Tobey
Connally	Magnuson	Vandenberg
Eastland	Mead	Wherry
Fulbright	Myers	Wilson

So Mr. DONNELL's motion to recommit was rejected.

Mr. BUSHFIELD. Mr. President—The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Robert E. Hannegan to be Postmaster General?

Mr. MCKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BUSHFIELD. Mr. President, I should like to cast my vote. I attempted to obtain recognition before the announcement was made.

Mr. HILL. Mr. President, what is the request?

The PRESIDING OFFICER. The Senator from North Dakota wishes to vote. The result has been announced.

Mr. REVERCOMB. Mr. President, as a matter of fact, the Senator from North Dakota asked for the ear of the Chair before the result was announced, but he was not recognized.

Mr. BANKHEAD. Mr. President, I ask unanimous consent that the Senator from North Dakota may be permitted to vote.

The PRESIDING OFFICER. The Chair is informed that it is impossible to obtain unanimous consent; and inasmuch as the result has been announced, it is impossible to recognize a Senator for the purpose of voting. His statement will appear in the Record.

Mr. MCKELLAR. Mr. President, I have no objection to the Senator's vote being recorded.

Mr. BUSHFIELD. Mr. President, in view of the fact that I sought recognition before the result of the vote was announced, I believe I am entitled to vote.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the rule strictly prohibits it.



Mr. TYDINGS. Mr. President, may I ask who objected?

The PRESIDING OFFICER. To the unanimous-consent request?

Mr. TYDINGS. Yes.

The PRESIDING OFFICER. The Parliamentary informs the Chair that the rule prohibits it.

Mr. TYDINGS. I was wondering if the rule could not be waived by unanimous consent. I think the Senator is entitled to have his position stated.

Mr. McKELLAR. Mr. President, I hope that may be done.

The PRESIDING OFFICER. The clerk will read the rule.

The legislative clerk read as follows:

When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

Mr. STEWART. Mr. President, I hope unanimous consent will be granted. I believe it can be, under this situation. I myself saw the Senator from South Dakota enter the Chamber and address the Chair before the result was announced. I was about to rise to my feet to call attention to that situation, but events occurred too rapidly to enable me to have time to do so. The Senator from South Dakota did address the Chair, and I saw him do so. I saw him enter the door of the Senate Chamber and address the Chair before the result was announced.

The PRESIDING OFFICER. The rule precludes the Chair from entertaining a motion to suspend the rule, and it cannot be done by unanimous consent.

Mr. TYDINGS. Mr. President, it seems to me the present case is not one which requires unanimous consent. It is a case of a Senator who was on his feet and who addressed the Chair before the result of the vote was announced. I do not believe that the request of the Senator from South Dakota conflicts either with the spirit or the letter of the rule. If he had been seen by the Chair or if his voice had been heard, he would have been entitled to vote. The fact that he was not seen or was not heard by the Chair was no fault of his. I think the rule would be rather drastically applied if the vote of the Senator from South Dakota were not recorded.

I most respectfully suggest to the Chair that the Chair make such a ruling. I do not believe any Senator on the floor will object to it. If there is no objection, there will be no insistence on a strict application of the rule, and the Senator's vote will be allowed to be recorded.

Mr. HATCH. Mr. President, I was about to request the floor in my own right, and then I intended to yield to the Senator from South Dakota, in order that he might explain his position, if he desired to do so. However, he has already explained his position.

I merely wish to say that I am in perfect accord with what the Senator from Maryland has said. If the Senator from South Dakota wishes to have his vote recorded, I think it should be recorded, and I hope it will be.

Mr. BUSHFIELD. Mr. President, will the Senator yield to me?

Mr. HATCH. I yield, if I have the floor. I had already taken my seat.

Mr. BUSHFIELD. I thank each of the Senators who have spoken in my behalf. In view of the announced ruling of the Chair, I presume that ends the matter. I wish to say to the Chair that if I had had an opportunity to cast my vote, it would have been "yea."

In that connection I wonder whether the announcement of the vote could be withdrawn, in order to permit a Member of the Senate to cast his vote, and then have the announcement made.

The PRESIDING OFFICER. Is it the pleasure of the Senate that the announcement of the vote be withdrawn and that the vote of the Senator from South Dakota be recorded? Is there objection?

Mr. HILL. Mr. President, I do not think I will object; but we cannot establish a precedent of permitting a Senator to vote after the announcement of the result of the vote has been made. Evidently the situation was unfortunate, namely, the Senator from South Dakota was not recognized in time to be given an opportunity to vote. The rule on this matter is about as strong and about as tight, so to speak, as one possibly could be.

If the vote of the Senator from South Dakota is recorded, it will not change the result or affect it one way or the other. The RECORD shows that the Senator is here. The RECORD shows how he would have voted if he had voted before the result was announced. I do not see how the Senator will accomplish anything now by having his vote recorded. I think the whole record is before the Senate.

I hope the Senator will not insist on having his vote recorded. He is already on record; he has recorded the fact that he was in the Chamber before the vote was announced, and that had he voted he would have voted "yea"; and had he voted, the result would not have been affected.

The rule could not be more specific or tighter than it is.

The PRESIDING OFFICER. The Chair desires to state for the benefit of the Senator from South Dakota that the clerk was exactly in line with the Chair's line of vision in the direction toward the Senator's seat when the clerk was transmitting the result of the vote to the Chair, and the Chair did not see the Senator from South Dakota and did not hear him. The Chair regrets the incident very much.

Mr. WHITE. Mr. President, I think it would be a grievous error on the part of the Senate to avoid or evade in any way or by any subterfuge the clear intent and the clear language of this rule of the Senate. I join in the hope that the Senator from South Dakota will not press the matter.

The circumstances of the case have been made perfectly clear, and the RECORD now shows that the Senator from South Dakota would have voted "yea" if he had had an opportunity to vote. That makes his record complete, and it makes the Senate RECORD complete.

I think it would be a great mistake on the part of the Senate to do anything which would, as I have said, either avoid or evade this rule of the Senate.

Mr. BUSHFIELD. Mr. President, I accept the suggestion of both the acting majority leader and the minority leader.

The PRESIDING OFFICER. The question now is, Will the Senate advise and consent to the nomination of Robert E. Hannegan, of Missouri, to be Postmaster General?

Mr. HILL. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent inspecting various concentration and prison camps in Europe.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GERRY], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from North Carolina [Mr. HOEY], the Senator from Washington [Mr. MACNUSON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Florida [Mr. PEPPER], and the Senator from Oklahoma [Mr. THOMAS] are absent on public business.

The Senator from Mississippi [Mr. EASTLAND] is absent on official business for the Senate Naval Affairs Committee.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference in San Francisco.

The Senator from Nevada [Mr. McCARRAN] and the Senators from Arkansas [Mr. McCLELLAN and Mr. FULBRIGHT] are absent on official business.

The Senator from Louisiana [Mr. OVERTON] is unavoidably detained from the Senate.

I further announce that the Senator from Texas [Mr. CONNALLY] has a general pair with the Senator from Michigan [Mr. VANDENBERG], and the Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES].

I am advised that if present and voting all the Senators whose absences have been announced would vote "yea."

Mr. WHITE. The Senator from New Hampshire [Mr. BRIDGES], who is necessarily absent, has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Michigan [Mr. VANDENBERG] who is absent on official business as a delegate to the International Conference at San Francisco, has a general

pair with the Senator from Texas [Mr. CONNALLY].

The Senator from Vermont [Mr. AIKEN] is absent by leave of the Senate.

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTENSTALL] are absent on official business, visiting various concentration and prison camps in Europe.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from Indiana [Mr. CAPEHART] is absent on official business.

The Senator from Wyoming [Mr. ROBERTSON], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Iowa [Mr. WILSON] are detained on official business.

The result was announced—yeas 60, nays 2, as follows:

## YEAS—60

Austin	Hart	Murray
Bailey	Hatch	O'Daniel
Ball	Hawkes	O'Mahoney
Bankhead	Hayden	Radcliffe
Billbo	Hickenlooper	Reed
Brewster	Hill	Revercomb
Briggs	Johnson, Colo.	Russell
Buck	Johnston, S. C.	Shipstead
Burton	Kilgore	Smith
Bushfield	La Follette	Stewart
Butler	Langer	Taylor
Byrd	Lucas	Tunnell
Capper	McFarland	Tydings
Chavez	McKellar	Wagner
Cordon	McMahon	Walsh
Downey	Maybank	Wheeler
Ellender	Millikin	White
Ferguson	Mitchell	Wiley
Green	Morse	Willis
Gurney	Murdoch	Young

## NAYS—2

Donnell

Taft

## NOT VOTING—34

Aiken	Glass	Robertson
Andrews	Guffey	Saltonstall
Barkley	Hoey	Scruggam
Bridges	Johnson, Calif.	Thomas, Idaho
Brooks	McCarran	Thomas, Okla.
Capehart	McClidlan	Thomas, Utah
Chandler	Magnuson	Tobey
Connally	Mead	Vandenberg
Eastland	Moore	Wherry
Fulbright	Myers	Wilson
George	Overton	
Gerry	Pepper	

So the nomination of Robert E. Hannegan, of Missouri, to be Postmaster General was confirmed.

Mr. MORSE subsequently said: Mr. President, I should like to make a statement for the RECORD in regard to my vote in the Hannegan case. I wish to make it very clear that in my judgment a prima facie showing was made which called upon the proponents of the nomination to give the Committee on Post Offices and Post Roads an opportunity to consider further the procedure which should have been followed in a final consideration of the case. As I think I made clear in my remarks, my objection was to the procedure which was followed by the committee and by its chairman, which I think set an exceptionally bad precedent, and one which I hope will not be repeated.

I thought further that in fairness to Mr. Hannegan and in fairness to President Truman the matter should have gone to the committee for further discussion of the procedure. I sincerely felt that in fairness to the distinguished senior Senator from Missouri [Mr. DON-

NELL], who simply asked for the courtesy of having further discussion of this matter in the Committee on Post Offices and Post Roads, of which he is a member, the Senate owed him that courtesy of further discussion before the committee. But as I said in my remarks, from a thorough study of the history of Cabinet confirmations and rejections I did not feel that there was before us sufficient evidence to overcome the presumption which is due the President of the United States, be he Democratic or Republican, to pick his official family and have the members thereof confirmed, unless a clear showing is made that they are not deserving of confirmation under the tests which I enumerated in my discussion. On the basis of the evidence before me at the time I cast the vote I could not say that the presumption had been overcome. I think it is most unfair, however, to both the President and to the Postmaster General that the matter was not considered further by the committee so as to have cleared the atmosphere of any charges as to his qualifications under those tests.

POSTMASTER AT HOPKINS, MINN.—  
NOMINATION PASSED OVER

Mr. HILL. Mr. President, I understand that a postmaster nomination reported last Monday was temporarily passed over. After conferring with the distinguished Senator from Tennessee [Mr. MCKELLAR] and the distinguished Senator from Minnesota [Mr. BALL] I understand that the Senator from Minnesota will make a statement, and then we shall be able to dispose of the nomination within a few minutes.

Mr. MCKELLAR. The Senator from Minnesota [Mr. BALL] wishes to make a statement, and I yield to him.

Mr. BALL. Mr. President, I shall state the facts in connection with this postmastership. Mr. Kosanda, whose nomination has been reported to the Senate, was appointed acting postmaster a little more than a year ago. A competitive civil-service examination was held and three successful candidates were certified by the Civil Service Commission as follows: Roy M. Kelly with a grade of 91.8, Einar Jorgenson with a grade of 84.6, and Thomas J. Kosanda, whose name is before the Senate, with a grade of 75.8.

The Civil Service Commission ruled that all three men were entitled to veterans' preference, and all three have had 5 percent added to their grades.

Mr. Kelley, who was at the top of the list of the three eligibles, is a World War veteran who served overseas in the First World War for 13 months. He worked in the Hopkins, Minn., post office for 18 years, the past several years as assistant postmaster. Obviously, on the basis of his grade he is the best qualified man for the position.

Kosanda, whom the Civil Service Commission ruled was entitled to veterans' preference, was drafted on November 11, 1918, and was discharged on December 10, 1918, without ever having actually been sworn into the Army of the United States.

The Civil Service Commission made its ruling under a decision of the Su-

preme Court of the District of Columbia in 1931 which held that any individual drafted into the armed forces thereby became a veteran entitled to a veteran's preference. But since that decision the Seventy-eighth Congress passed Public Law No. 359 approved on June 27, 1944. That law provides that with respect to appointments under the Civil Service veterans shall be given preference in three classes; the first three dealing with disabled veterans, their widows, and dependents, and the fourth dealing with ex-service men and women who have served on active duty in any branch of the armed forces of the United States during any war, or in any campaign or expedition for which a campaign badge has been authorized, and from which service the person was discharged under honorable conditions. I think the Civil Service certification of Kosanda as a veteran is directly contrary to the language of the statute passed last year by the Congress, which provides that in order to be eligible for a veteran's preference a person must have served in active duty in the armed forces. I may say that the adjutant general of Minnesota has no record of Kosanda ever having been a war veteran.

I do not personally know any of these men and have no interest in the matter except that I have received protests and resolutions adopted by the Veterans of Foreign Wars post in Hopkins, Minn. I believe at the present time that veterans of the present war who have suffered wounds in combat, and are being discharged at the rate of several thousand a month, are involved in the situation, and that a serious question is also involved of whether we intend really to apply veterans' preference in this instance, or permit this kind of a run-around in connection with a real veteran. I hope the Senate will not confirm this appointment, and that the real veteran, who has served for 18 years in the post office at Hopkins, and who was overseas in military service for 13 months, be appointed to the position of postmaster at Hopkins, Minn.

Mr. MCKELLAR. Mr. President, all I can say is that the Civil Service Commission has said that these men have Army classification. They were given a rating by the Civil Service Commission on the basis of having been soldiers.

I do not know anything in the world about Mr. Kosanda except from hearsay, but he has been acting as postmaster for a year or two, and I believe the other gentleman is in the Post Office Department there in the same town. He wishes to supersede the present acting postmaster. Under those circumstances there is nothing that the committee could do, or that I could personally do. Much as I like the senior Senator and the junior Senator from Minnesota, I am confronted with the belief that probably this is another political matter. I hope that the Senate will confirm the nomination.

Mr. SHIPSTEAD. Mr. President, I understood my colleague to state that the nominee had been appointed contrary to law. Was I correct in my understanding?



Mr. McKELLAR. No; he was not appointed contrary to law.

Mr. BALL. My position is that the Civil Service Commission acted on a Supreme Court of the District of Columbia decision of 1931 which, I believe, has been superseded by the veterans' preference law passed by Congress last year, and which applies only to veterans who have seen active duty. Obviously, Kosanda was never on active duty. He reported for induction on November 11, 1918, apparently was sent to Camp Ripley, remained there until December 10, 1918, and then was discharged.

Mr. SHIPSTEAD. Is it the contention of the junior Senator from Minnesota that Kosando is not eligible for the position of postmaster at Hopkins, Minn.?

Mr. BALL. I do not believe he is eligible under the present law governing veterans' preference. I think the Civil Service Commission was in error in certifying that he was entitled to veteran's preference.

Mr. SHIPSTEAD. If that be true, he was certified illegally, was he not?

Mr. BALL. He is not certified here illegally, because the Post Office Department is required by law to rely on the certification of the Civil Service Commission. The only place to get it changed now, if the Civil Service Commission is in error, as I contend it is, is here in the Senate.

Mr. HILL. Mr. President, the distinguished Senator from Louisiana [Mr. ELLENDER] wishes to speak this afternoon. I had hoped we might dispose of the pending nomination very shortly, but I am not sure that can be done. Will the distinguished Senator from Minnesota be here Thursday?

Mr. BALL. Yes.

Mr. HILL. Will it be agreeable to the Senator to let this nomination go over? I do not believe we can finish it now. It is nearly 6 o'clock, and other Senators are very anxious to address the Senate this afternoon.

Mr. BALL. On this matter?

Mr. HILL. No. I will move that the Senate go into legislative session, and as soon as we go back into executive session, this nomination will be the pending question.

Mr. DOWNEY. Mr. President, as chairman of the Committee on Civil Service, I am very much interested in the issue presented here, and I should like to have an opportunity to make some investigation. I am wondering if we cannot agree to put this nomination over at least 1 week so that opportunity may be afforded for an investigation.

Mr. McKELLAR. I have no objection. The Senator from West Virginia [Mr. KILGORE], who does not seem to be in the Chamber at the moment, is very much interested in the nomination. I have no objection to it going over for a week. It has been before the committee for a long time, and I hope it can be disposed of at the end of the week.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California that the nomination be laid over for 1 week? The Chair hears none, and it is so ordered.

Mr. HILL. Mr. President, I ask unanimous consent that the President be noti-

fied forthwith of all confirmations of today.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the President will be immediately notified.

#### LEGISLATIVE SESSION

Mr. HILL. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

#### HOSPITAL CENTER FOR THE DISTRICT OF COLUMBIA

Mr. BILBO. Mr. President, recently the Senate passed by unanimous vote Senate bill 223, providing for a hospital center for the District of Columbia, whereupon a motion was made by the Senator from Louisiana [Mr. ELLENDER] to reconsider the vote by which the bill was passed. By agreement the motion to reconsider was to be taken up today, but, because of the time consumed in other matters, we find it is too late to take it up now. We have reached another agreement, that the motion may be called up Thursday, with the consent of the Senator from Louisiana, and we have agreed on an hour for each side so that it may be disposed of as early as possible. I ask unanimous consent that that order be approved.

Mr. WHITE. What is the agreement which has been entered into between the Senator from Mississippi and the Senator from Louisiana?

Mr. BILBO. We agreed, and we are asking the Senate to confirm the agreement, that we may have time on Thursday to dispose of this motion. The Senator from Maryland [Mr. TYDINGS] is very much interested, and he cannot be present any other day but Thursday. He has joined in the request that we be permitted to call the motion up and dispose of it, with not to exceed an hour a side on the issue.

Mr. WHITE. I know nothing about the merits of the matter, and I have no objection to it being taken up Thursday, but I would not care to agree at this time, with so few Senators present as there are now, to a limitation of time for debate. I have no objection to the motion being taken up Thursday.

Mr. BILBO. Can I get unanimous consent to make the motion the unfinished business for Thursday?

Mr. HILL. Mr. President, I suggest that instead of making it the unfinished business for Thursday, we make it the pending business before the Senate now, and of course with the understanding that we will not debate it now. We are to have a speech by the Senator from Louisiana. We can make it the pending business now, since there is no business before the Senate, and when we meet Thursday, after a recess, it will be the business before the Senate.

Mr. BILBO. I also wish to suggest that it is agreed between us, I am authorized to say, that it will not take more than 80 minutes that is, 40 minutes to each side.

Mr. WHITE. The Senator may be able to speak for himself and the Senator from Louisiana, and give assurance to the Senate that they will not take more

than 80 minutes, but I question whether he could give any assurance about the other Senators.

Mr. BILBO. We could get unanimous consent, and that would bind us and the rest of the Senate.

Mr. HILL. Mr. President, I ask that the motion of the Senator from Louisiana [Mr. ELLENDER] to reconsider the vote by which Senate bill 223, for the construction of a modern, adequate, and efficient hospital center in the District of Columbia, may be made the pending business of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROMOTION OF OFFICERS IN THE MEDICAL, DENTAL, AND VETERINARY CORPS

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate bill 939, Calendar No. 234, and I promise that if there is any discussion or any controversy whatever I shall withdraw the request.

The PRESIDING OFFICER. The Clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 939) to extend the provisions of the act of November 29, 1940 (Public Law 834, 76th Cong., 54 Stat. 1219), relating to promotion of Medical, Dental, and Veterinary Corps officers.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WHITE. Mr. President, the Senator from Colorado was good enough to call this measure to my attention, and I have taken the opportunity to consult with minority members of the Committee on Military Affairs, so far as I could do so. I understand that there is no objection to the bill in its amended form.

Mr. JOHNSON of Colorado. I do not know of any controversy over the bill whatsoever, and I hope it may be passed at this time, because it is more or less of an emergency matter. I may say the bill provides an extension of a previous act which has been in effect for 5 years, and the time will expire on May 15, 1945. This was overlooked, and it is necessary to have this bill passed before May 15.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments, on page 1, line 3, after the word "That" to strike out "for the duration" and to insert "until the termination," on line 4, after the word "engaged" to insert a comma and the words, "as declared by proclamation of the President or by concurrent resolution of the two Houses of the Congress," so as to make the bill read:

*Be it enacted, etc., That until the termination of the wars in which the United States is presently engaged, as declared by proclamation of the President or by concurrent resolution of the two Houses of the Congress, and for 6 months thereafter, the Secretary of War may, in his discretion, dispense with*

any part of the examination for promotion in the Regular Army of officers of the Medical, Dental, and Veterinary Corps, except those relating to physical examination.

SEC. 2. This act shall become effective as of May 15, 1945.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Colorado. Mr. President, I should like to have inserted in the RECORD at this point an explanation of the bill, together with the report from the Senate Committee on Military Affairs.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement and report (No. 237) were ordered to be printed in the RECORD as follows:

#### STATEMENT AS TO SENATE BILL 939

Under the provisions of section 24c of the National Defense Act, as amended, and the act of July 31, 1935 (49 Stat. 505, 506), officers of the Medical, Dental, and Veterinary Corps are required to pass a professional examination for promotion in the Regular Army. However, by virtue of the provisions of the act of November 29, 1940 (54 Stat. 1219), the Secretary of War is authorized, in his discretion, until May 15, 1945, to dispense with any part of the examination for promotion in the Regular Army of officers of the Medical, Dental, and Veterinary Corps, except those parts relating to physical examinations. The purpose of S. 939, as recommended by the Senate Committee on Military Affairs, is to extend such authority until the termination of the wars in which the United States is presently engaged, as declared by proclamation of the President or by a concurrent resolution of the two Houses of the Congress, and for 6 months thereafter.

Although in peacetime the requirement of professional examinations in connection with the promotions of Medical, Dental, and Veterinary Corps officers in the Regular Army offers no great difficulty, the situation is quite different in time of war. The assembling of examining boards throughout the Army for this purpose entails the employment of three officers for each board. This would involve an unjustifiable expenditure of the time and energy of such officers when their services are directly needed in connection with their professional duties. Furthermore, the activities performed by officers of the Medical Department in time of war are such as to furnish reliable criteria of their abilities without the need for academic examinations. If the requirement of professional examinations remains discretionary with the Secretary of War, he would be free to require that they be given when conditions permit and could dispense with them when they interfere with the prosecution of the work of the Medical Department.

#### REPORT TO ACCOMPANY S. 939

The Committee on Military Affairs, to whom was referred the bill (S. 939) to extend the provisions of the act of November 29, 1940 (Public Law 884, 76th Cong., 54 Stat. 1219), relating to promotion of Medical, Dental, and Veterinary Corps officers, having considered the same, submit the following report thereon, with the recommendation that it do pass with certain amendments.

#### AMENDMENTS

In line 3, after the word "That", delete the words "for the duration" and insert in lieu thereof the following: "until the termination".

In line 4, after the word "engaged", insert a comma and the following: "as declared by

proclamation of the President or by concurrent resolution of the two Houses of the Congress."

The purpose of the amendments is to clarify the date on which the provisions of the bill will cease to be effective.

#### STATEMENT

The act of November 29, 1940 (54 Stat. 1219), authorizes the Secretary of War, in his discretion, to dispense with any part of the examination for promotion in the Regular Army of officers of the Medical, Dental, and Veterinary Corps, except those parts relating to physical examinations. Under the provisions of that act, this authority terminates on May 15, 1945.

The purpose of the bill, as recommended by your committee, is to extend such authority until the termination of the wars in which the United States is presently engaged, as declared by proclamation of the President or by concurrent resolution of the two Houses of the Congress, and for 6 months thereafter.

Your committee believe that in wartime the requirement of professional examinations for promotion of officers of the Medical, Dental, and Veterinary Corps in the Regular Army should be discretionary with the Secretary of War. The assembling of examining boards throughout the Army for this purpose entails the employment of three officers for each board. This would involve an unjustifiable expenditure of the time and energy of such officers when their services are needed urgently in rendering professional care to our sick and wounded soldiers. Moreover, the activities performed by officers of the Medical Department in time of war are such as to furnish reliable criteria of their abilities without the need of academic examinations.

War Department witnesses appeared and testified in support of the measure.

#### CONSTRUCTION OF AIRPORT SYSTEM

Mr. SHIPSTEAD. Mr. President, I ask consent to have printed in the RECORD a telegram from the Governor of the State of Minnesota, in the form of a petition for coordination between the Federal Government and the various States in the postwar aviation and airport program.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN., May 3, 1945.

Senator HENRIK SHIPSTEAD,  
United States Senate:

Minnesota 1945 Legislature enacted sound aviation program which we hope can be coordinated with Federal program along same pattern used in development of State highways. Since the municipalities and the State will make a substantial investment, we believe nothing in Federal bill should deprive the State or its municipalities of their rightful authority over these installations after they have been constructed, and that fullest provision should be made for intergovernmental cooperation in planning, construction, maintenance, and operation of State and National airport systems.

EDWARD J. THYE,  
Governor of Minnesota.

#### COMPULSORY LABOR DRAFT—LETTER AND STATEMENT BY AMERICAN FEDERATION OF LABOR

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a copy of a letter which I have received from Mr. William Green, president of the American Federation of Labor, with respect to the so-called manpower bill. In connection with the letter I ask unanimous con-

sent that there may be printed also in the body of the RECORD a press release issued by the American Federation of Labor on the same subject.

There being no objection, the letter and the release were ordered to be printed in the RECORD, as follows:

APRIL 27, 1945.

JOSEPH O'MAHONEY,  
Senate Office Building,  
Washington, D. C.

MY DEAR SENATOR: The CONGRESSIONAL RECORD shows that the conference report on H. R. 1752, classified as the compulsory labor draft bill, which the Senate most decisively rejected on April 3 was returned to the House Military Affairs Committee on April 23. Does this mean the end of legislative procedure regarding this legislation and the definite defeat of same.

Be assured that the officers and members of the American Federation of Labor are very deeply appreciative of the aggressive and successful fight which you made against the adoption of this form of compulsory service legislation. It seems so contradictory on the part of those who sponsored this legislation to seek its enactment into law at a time when the defeat of Hitler was imminent and our own country was face to face with a cutback situation in war material production plants which would lead to varying degrees of unemployment.

Labor has made a wonderful record during the war, not only in the maintenance of its no-strike pledge, but in the production of snips, planes, guns, tanks, and war material of all kinds. Labor will not falter or fail even to the slightest degree. It will continue to give its skill, training, and service in the future as it has in the past and will maintain the high standard of production and excellency of service which it has set all during the war until our enemies are defeated both in Europe and in the South Pacific.

Very sincerely yours,

WILLIAM GREEN,  
President, American Federation of Labor.

#### STATEMENT BY THE EXECUTIVE COUNCIL OF THE AMERICAN FEDERATION OF LABOR, APRIL 30, 1943

Events again have proved the wisdom of the American Federation of Labor's unflinching and unalterable opposition to the enactment of compulsory manpower legislation.

The defeat of this legislation in Congress has not injured the war-production program. On the contrary, production records were broken and schedules exceeded in the month of March, according to official announcement.

Nor has the absence of compulsory labor controls resulted in more manpower shortages, as many official authorities predicted. The opposite is true. In recent weeks, several cities have been taken off the critical list and manpower needs are being met in every important war industry.

Finally, and most important of all, voluntary labor in America has succeeded in backing up the victory drive on the fighting fronts with amazing success. Our armed forces have not lacked materials or equipment. In fact, the overwhelming superiority of their equipment has proved the decisive factor in winning the war in Europe and in turning the tide against Japan.

Today we hear no more talk of the need of forced labor.

Already the War Department has made substantial cut-backs in airplane production. One of the largest factories in the Nation which formerly operated around the clock is going back to one-shift, 40-hour-week schedules. Shipyards are not getting any new orders and the Maritime Commission is planning to wind up most of its ship-



building program by the end of the year. The end of the war in Europe means that the war-production program generally will be cut in half within a few months.

Under these circumstances it is imperative that a large-scale reconversion program be undertaken at once. American industry must be given enough advance notice of cancellation of war contracts so that it can proceed without unnecessary delay to put into effect plans for peacetime production which will provide jobs for displaced war workers and returning servicemen. Unless the reconversion process is expedited, mass unemployment will grip America in 1945 and purchasing power will be reduced to such a low point that expansion of postwar production will be blocked.

Immediate action is also required by Congress and by Federal agencies to protect human needs during the reconversion period. President Truman, while serving as a Senator during the last session of Congress, sponsored reconversion legislation which provided far more adequate unemployment compensation to disemployed workers than is available at present. This measure was defeated, but the executive council feels that it should be revived at this time and that it would be most fitting for the President to recommend it to Congress.

Production cut-backs are bound to eliminate the overtime pay on which most workers have relied during the past 2 years to offset increased living costs. The National War Labor Board must take cognizance of this critical situation and order immediate revision of the Little Steel formula, so that frozen wage rates can be adjusted to make up for the loss of overtime pay. The executive council will deal with the subject of wage rates in more detail during the next few days, but it takes this opportunity to warn the National War Labor Board that further delay will be dangerous to the Nation's postwar economy.

#### THE CONTRIBUTION OF PRICE CONTROL TO THE SUCCESS OF THE WAR EFFORT

Mr. ELLENDER. Mr. President, I dislike to detain the Senate at this late hour, but I can assure Senators that what I have to say will not require more than 15 minutes. It is on a very important subject, and I hope that all Senators who are present will listen.

As the war in Europe draws to an end and as the Allied armies and navies are getting set for the final phase of the war, it is time to take stock of the contributions of price control to the success of the war effort and to stake out the problems that lie ahead.

Wartime price control is a most unpleasant undertaking. It is a most vexing problem, not only to those who have to administer it but also to the people who have to be administered under it. It is something which we undertake for very compelling reasons.

Among the compelling reasons or purposes behind price control are these:

First, to facilitate speedy and increased war production by assuring our producers stable and predictable materials costs—without which orderly scheduling of production contracts becomes impossible.

Second, to maintain wartime morale, particularly among wage earners, who cannot continue putting their shoulders to the wheel when the cost of living moves away from them and they have to engage in a losing race between price increases and wage adjustments.

Third, to prevent the dissipation of Government war expenditures by adding to the gigantic unavoidable costs of total war the inexcusable burden of inflated prices.

Fourth—and this some would call the most important of all—to preserve a sound economy for our heroes to come back to, instead of an economy ruined by the twin evils of runaway inflation and deflationary collapse.

Now let us see what has been the record of price control, the record of the O. P. A. in achieving these purposes. Our war production record as a whole, despite mistakes of detail in one field or another, has been unbelievably superb. Everybody here at home, and both our friends and our enemies abroad, acknowledge this. Of course, nobody has any pretension of attributing this record solely, or even in major part, to the success of price control. It is the product of many factors—the genius and drive of American enterprise, the hard work and skill of our millions of war workers, the scheduling and production controls laid out by the War Production Board and the armed services, and so forth. But this much we can say, and that is that the O. P. A. made its contribution to the total record, and made it well.

Let us look at the figures of industrial production and prices during the two wars.

I have here a table in which these figures are set forth. Taking production in 1914, the year that World War No. 1 began, as 100, they show a rise to 126 in 1917 and a slight decline, to 125 in 1918, and the year that World War No. 1 ended. Think of that, Mr. President. In the last war our industrial production peak was reached before we really got into the war, and output actually slackened off while we fought. Yet it was not tight pricing that held back production. Far from it. Between 1914 and 1918 the wholesale prices of industrial goods increased 83 percent, and by the time of the Armistice they were just about double their July 1914 level. There was a doubling of prices but only a 25 percent increase of production. The table shows the following figures:

Industrial prices and production  
WORLD WAR NO. 1

Year	Prices	Production
1914.....	100	100
1915.....	102	114
1916.....	133	121
1917.....	172	129
1918.....	188	125

WORLD WAR NO. 2

Year	Prices	Production
1939.....	100	100
1940.....	102	115
1941.....	109	143
1942.....	117	183
1943.....	119	219
1944.....	121	216

Sources: Prices (wholesale, all commodities other than foods and farm products), Bureau of Labor Statistics. Production: World War No. 1, F. C. Mills, Economic Tendencies in the United States, World War No. 2, Board of Governors of the Federal Reserve System.

How different is our record in this war. According to the table before me, industrial production has for 2 years now run

at more than double the 1939 level, while industrial prices have risen less than 25 percent. The pattern of the last war has been just reversed as our energies have been concentrated on production under the benefits of stable prices and stable costs. There has been no speculation in essential commodities, no hoarding or withholding of such materials from war production. And under stabilization, there has been mighty little work stoppage for shortage of materials, wage disputes, or any other factor.

This production record belongs to us all and, of course, it belongs primarily to the men in the factories, American men of management and labor. But I think it clear from these contrasting records of our two war-production experiences that a share in this superb achievement must go to price control and the agency which has been responsible for price control.

In agricultural production, the contribution of the O. P. A. is equally clear. During World War No. 1, the physical volume of our agricultural production rose only 6 percent during the entire 4 years. Rising farm prices stimulated agricultural production at the outset, but toward the end of the conflict the rise was stopped. An important factor in this was the rise of farm costs. Without price control, these costs overtook and exceeded the rise in farm prices, and the farmer's economic position grew steadily worse.

This time the Nation, through the policies set by the various price-control acts, has sought and has succeeded, first, in restoring farm prices to a proper balance with industrial prices and, next, in restraining such prices from rising beyond the level of balance. Restoration of this balance has entailed the effective control of the prices paid by farmers and, thus, of their most important costs. In consequence of this control the farmers' gains this time have been real, not illusory. It is no accident, I think, that during these years wartime agricultural production has broken all records and has expanded more than four times as much, percentage-wise, as it did during the last war.

At this point, Mr. President, I wish to read a speech delivered by me on the America's Town Meeting of the Air program on April 12, 1945, in the city of New Orleans. The title was "Is the Present Food Shortage Necessary?"

The speech reads as follows:

Ladies and gentlemen, asking the question "Is the present food shortage necessary?" reminds me of the case of the man brought into court because his dog was charged with biting another man.

He appeared without benefit of counsel, and the judge asked what he had to say in his own defense.

"Well, judge," he replied, "in the first place, no one has proven that this man was bitten by a dog."

"In the second place, if he was bitten by a dog, no one had proved that it was my dog that bit him."

"In the third place, I don't have a dog!"

Now, all of this talk about whether the present food shortage is necessary reminds me of that man. Before we set about proving whether a food shortage is necessary, we ought to determine whether there is a food shortage in the first place.

For more than 3 years, as a member of the Senate Agriculture Committee, I have heard much testimony predicting a famine of certain farm commodities. These famines have not occurred, but on the contrary, our food production in 1944 exceeded prewar levels by one-third.

Meat production, for instance, in 1945 will be 33 percent above the average for the years 1935-39; with beef 36 percent above and pork 43. Estimates for the following commodities covering the same period are as follows: 43 percent increase in chickens, 36 in eggs, 15 in milk, and 52 in cheese. Fruits and vegetables, both fresh and processed, will be up 6 to 46 percent. Wheat is up 23 percent, corn 33, and oats 24.

This enormous food production could not have been made possible except for the fortitude and the patriotism of our unsung, uncited soldiers of the soil, our farmers. They are cultivating every available acre in our land, often with insufficient tools and implements, and with 6,000,000 less farmers.

Now, what becomes of this enormous supply during wartime? Before the war almost 98 percent was consumed by civilians and the rest was commercially exported. Last year almost 80 percent of our huge supply was consumed by our civilian population, over 13 percent by our military forces, nearly 6 percent for lend-lease, and slightly over 1 percent for exports. This year, depending upon the rapidity with which we can conquer our enemies, we can expect our civilian supply to dwindle further, for the simple reason that victory brings on the added responsibility of feeding prisoners of war and aiding the inhabitants of conquered territory.

Our most vexing problem is that of distribution. Our civilian population now has money to spend. It has money to spend and is ready to buy what it wants. Some sections of our country are highly industrialized and others are primarily agricultural. For a balanced economy we must move the products of industry and the products of agriculture where they are needed.

As an illustration let's use the meat situation. It must be remembered that no meat can be shipped from one State into another unless it is federally inspected. All meat supplies for our armed forces and our allies must be federally inspected. A lot of meat on the hoof does not mean a lot of meat in Washington, New York, and the State of Rhode Island, which are located away from our meat-producing areas. Federally inspected plants will slaughter about 15,800,000,000 pounds of meat in 1945. Civilian consumers will get 10,400,000,000 pounds in 1945. In prewar days civilians consumed 10,600,000,000 pounds.

When there is ample money available for people to buy what they want, commodities do not move far out from the producing areas. The tendency is toward local slaughtering and selling, and I know that such a situation tends further to aggravate distribution.

Rationing causes a more even distribution. When meat supplies concentrate near producing centers and do not reach all consumers, we must widen its distribution by increasing ration-point values. We should have ration points high enough to move the existing normal meat supply out over the entire country, so the total supply will be distributed fairly. When that is done, we will all be consuming, on the average, about the same amount of meat that we could have purchased in normal times.

If we stop the leaks, curb the black markets, buy at ceiling prices, and pay ration points, we shall have food enough. If we observe the rules and each of us acts as a self-appointed sentinel no one of us will go hungry.

Mr. President, on the morale side of the war effort, we have the O. P. A.'s contribution to the economic stabilization program, and here the record is crystal clear. It has been O. P. A.'s job to hold the cost of living, so that wage stabilization could be maintained, so that labor could adhere to its voluntary no-strike pledge, and so that all classes could contribute their share to the war effort without the sinking fear that the bottom had dropped out of the dollar and the purchasing power of money had disappeared.

Mr. President, I believe we should all be proud of the fact that a dollar is still a dollar in the United States. Yes, I know that the cost of living has risen by something like 25 percent since 1941. But the fact of the matter is that today the price level is just about where it was in 1928 and 1929. In those years, we did not say that money had lost its value and that the dollar had ceased to be a dollar. And we cannot say that today.

What is more, although we have been unable to prevent a moderate wartime increase in the cost of living, the O. P. A. during the past 2 years has not only checked the rise, but it has kept the over-all average of cost-of-living prices practically stationary. Since May 1943, just before the "hold the line" program was launched, the cost of living has risen by approximately 1½ percent.

I have here a second table in which the steady improvement in the control of prices with each successive stage of the stabilization program is dramatically brought out. I wonder, Mr. President, how many Senators are aware that since May 1943, the cost of living has risen less than six one-hundredths of 1 percent a month, as compared with a rise of nearly 1 percent a month during the 16 months preceding the establishment of general price control. The table is as follows:

Percentage increase in cost of living and wholesale prices during selected periods

	Percentage increase in—			
	Cost of living		Wholesale prices	
	Total	Per month	Total	Per month
August 1939 <sup>1</sup> to May 1942, 33 months.....	17.6	0.53	31.7	0.96
January 1941 <sup>2</sup> to May 1942, 16 months.....	15.1	.94	22.3	1.39
May 1942 to May 1943, <sup>3</sup> 12 months.....	7.8	.65	5.4	.45
May 1943 to March 1945, <sup>4</sup> 22 months.....	1.4	.06	1.2	.05

<sup>1</sup> Last month before outbreak of war in Europe.

<sup>2</sup> Month in which general maximum price regulation became effective.

<sup>3</sup> Base month of Little Steel formula.

<sup>4</sup> Month preceding launching of price program under the "hold the line" order.

Source: Bureau of Labor Statistics.

With so much money in circulation, there is little doubt that many people are paying illegal prices and that some of these illegal prices may not be reflected in the cost of living index, although the Bureau of Labor Statistics prides itself on getting actual prices, not merely the legal ceiling prices, in

charting the changes in the cost of living. But making all allowances that we will the record in holding the line against inflation is a remarkably good one, and we all ought to recognize this and give credit where credit is due.

The other day an item in Leonard Lyons' syndicated column struck my eye and made me stop and think about our record on inflation control. The item described how Leon Henderson, former O. P. A. Administrator, went to China to give expert advice to the Chinese Government on how to handle the Chinese inflation problem. While in Chungking Mr. Henderson heard he could buy silk stockings, and he searched around for a pair. He was finally offered a pair of rayons for \$32 in American money. The price in Chinese money was not stated, but it probably would have required a truckload of currency to negotiate the transaction. When Mr. Henderson examined them, he found them marked with this label: "O. P. A. Ceiling Price, 95 cents."

The ratio between 95 cents and \$32 measures our relative success in controlling wartime inflation. It measures the difference between a country where money has value and a dollar is still a dollar, and a country where currency has become a cheap form of wallpaper.

In our own country we had something like the Chinese experience of runaway inflation. We had it at the time of the War of the Revolution, and from that time dates the expression, "not worth a continental." Our history books tell us how seriously Washington's struggle to carry on the war was handicapped by the inflation of prices and the depreciation of the paper of the Continental Congress. Our history books also tell us how, when the Constitution was established, our young Republic had to pay off the inflated costs of the war in hard taxes and real money. That brings me to the record that has been achieved by the O. P. A. in preventing the dissipation of our war appropriations and war expenditures through inflated prices.

We do not have to compare the record of the O. P. A. in holding down war expenditures with such extreme cases as the inflation in China or the inflation during our War of the Revolution. All we need to do is to compare the record in this war with the record in World War No. 1. It has been estimated that if we had been no more successful in holding down prices in this war than was the case in the last war, the extra cost of this war to the Government—and that means to you and me and to all other taxpayers—would have amounted to \$80,000,000,000 up to the end of 1944. Even in these days of astronomical sums, that is not pin money.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD as a part of my remarks a table showing the comparative increases in prices over 4 years of two World Wars, which was made a part of a speech delivered by me before this body on November 29, 1943.

There being no objection, the table was ordered to be printed in the RECORD, as follows:



## Comparative price increases over 4 year of 2 world wars

	1914-18 World War No. 1 (percent price increase) <sup>1</sup>	1939-43 World War No. 2 (percent price increase) <sup>2</sup>
Cost of living, total <sup>3</sup> .....	50.3	24.9
Food (61 items).....	63.9	46.7
Clothing (111 items).....	85.3	28.5
Household furnishings (39 items).....	77.2	24.8
Wholesale prices, total (889 items).....	96.1	37.5
Raw materials (111 items).....	102.1	69.5
Semimanufactures (99 items).....	131.3	24.7
Finished products (679 items).....	87.6	26.0
Industrial commodities <sup>4</sup> (709 items).....	12.4	21.2
Selected manufactured items:		
Steel plates (tank).....	187.4	0
Copper ingots.....	90.3	14.0
Plate glass.....	76.1	0
Wool blankets.....	164.7	50.0
Cotton hosiery (men's).....	132.3	71.9
Blue denim.....	214.8	74.5
Prices received by farmers for all commodities.....	91	119
Prices received by farmers for 58 foods.....	78	116
Selected agricultural items:		
Cattle.....	58	89
Hogs.....	102	150
Cotton.....	127	128
Milk.....	46	94
Butter fat.....	73	122
Wheat.....	165	133
Corn.....	106	139
Prices paid by farmers for 174 commodities and for interest and taxes.....	71	24

<sup>1</sup> July 1914 to July 1918.<sup>2</sup> August 1939 to August 1943.<sup>3</sup> Rent and fuel, not available by months.<sup>4</sup> All commodities other than farm products and foods.<sup>5</sup> To May 1943, the latest available.<sup>6</sup> 1914 to 1918, not available for World War No. 1 period.

Source: Farm prices, Bureau of Agricultural Economics; others, Bureau of Labor Statistics.

Mr. ELLENDER. Mr. President, as we look forward to the future, it is not the saving in money costs of the war that should be uppermost in our minds, but the preservation of a sound economy for the postwar period. On this, as I have already stated, our record so far has been remarkably good. But, unfortunately, this is a problem on which we cannot merely stand on our record. We must see the thing through to the end, or all the good that we have accomplished so far with so much strain and effort will be lost.

We must see the job of price control through to the end; and the end means not merely the end of the war in Europe, not merely the end of all fighting in the Pacific, but the end of all inflationary threats, and the end of all the war-developed scarcities.

That is the critical test which we face from now on. It is a critical test because the dramatic tie-up between price control and the success of the military effort tends to disappear, and because the feeling is spreading among many people that the need for price control is about over.

This is the moment which has been chosen by various pressure groups to exploit the weak and soft spots in the price-control program for the purpose of wrecking our whole apparatus of controls.

Mr. President, I have no desire to gloss over the black market in meat or the black market in any commodity. It is a serious threat to the continued effective-

ness of price control. We must pitch in with all constructive efforts to curb it. I believe that Mr. Bowles' new 10-point meat program is a long step in that direction, but I am ready to support even more drastic and more stringent programs if they prove necessary. But frankly, what alarms me in much of the testimony, and in some of the proposals made as a result of congressional food investigations, is the doctrine that the way to eliminate black markets is to raise prices all down the line. If we do that for meat, we shall have to do the same for all other industrial groups. There is not a single industry, no matter how prosperous a showing it makes on its income-tax statements, that does not complain that it is being pinched by price control.

During the height of the war struggle, the Congress recognized that we could not set price ceilings in the way that tariff rates were set in the old days, namely, by logrolling of pressure groups. Today, however, that idea finds favor. Why? It seems to me it is because the basic public awareness of the danger of inflation has lessened. There has been a let-down in the public pressure that has kept pressure groups in check.

That is the most alarming aspect of the whole situation. It is incumbent on all Members of the Congress to combat the trend of apathy and indifference to the inflation problem. Let us recall what happened after the last war. About 40 percent of the total inflation of the last war took place after the Armistice, after the fighting had stopped, after we removed price controls. Prices went up fast in 1919, but in the ensuing crash of 1920 and 1921 they came down even faster, and they came down hard. From the peak inflated levels, wholesale prices dropped 45 percent in 20 months, and farm prices more than 50 percent in only 13 months. Factory pay rolls shrank 44 percent, and unemployment increased by five and one-half million. Peak corporation profits turned into losses, and business failures rose 40 percent above pre-war rates. Farmers' incomes were cut by two-thirds, and nearly half a million farm owners lost their farms by foreclosure during the next 5 years.

Unless we watch carefully, that is what will happen again. That is why I agreed with the statement of the Senator from Ohio (Mr. Taft) at a recent hearing that "price control must be continued after the war." Not only must price control be continued, but there must be no let-down in its enforcement, and there must be no let-down in the vigor with which we hold the line.

It is always the last lap of the race, the last round of the fight that determines the outcome. We are coming up now for the last round in the stabilization fight. When the American people realize this—and I am sure they will—they will not quit on this round. They will put on the same whirlwind finish on the home front that our boys are putting on in the war fronts of Europe and the Pacific.

## RECESS TO THURSDAY

Mr. HILL. Mr. President, I move that the Senate take a recess until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 6 o'clock and 26 minutes p. m.) the Senate took a recess until Thursday, May 10, 1945, at 12 o'clock meridian.

## CONFIRMATIONS

Executive nominations confirmed by the Senate May 7 (legislative day of April 16), 1945:

## FOREIGN SERVICE

Spruille Braden to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Argentina.

Edward A. Dow, Jr., to be a consul of the United States of America.

Laurence C. Frank to be a Foreign Service officer of class 4, a secretary in the Diplomatic Service, and a consul general of the United States of America.

## POSTMASTER GENERAL

Robert E. Hannegan to be Postmaster General, effective July 1, 1945.

## IN THE ARMY

## PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

(The nominations of James Hart Hottenroth and others for promotion in the Regular Army of the United States, which were received by the Senate on April 30, 1945, which appear in full at the end of the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning on p. 3946 and ending on p. 3949 with the name of George Jefferson McMurtry.)

## POSTMASTERS

## ARKANSAS

Martin A. Gassner, Alexander.

## CALIFORNIA

Floyd V. Wike, Bryte.  
Logan P. White, Lancaster.  
Thomas S. Powell, Orosi.  
Robert A. Bates, Roseville.  
Elsie R. Wiseman, Standard.  
Bonnie F. Rodenbaugh, Winterhaven.  
Maxwell F. Buffum, Yreka.

## IDAHO

Maye Burns, Osburn.

## INDIANA

Eva A. Thompson, Chesterfield.  
Ferd B. Koenig, Etna Green.  
James W. Shafar, Frankfort.  
Leslie C. Weigle, Fremont.  
Nellie K. Kownover, Granger.  
Bernard H. McCann, Lawrenceburg.  
Fred M. Hoppas, Sidney.

## KENTUCKY

Glenn F. Hozendorf, Coral Ridge.

## LOUISIANA

Charles A. Batton, Dubberly.  
Louis A. Dubreuil, Marrero.  
Robert W. Human, Sulphur.  
Roy M. Taylor, Winnaboro.

## MAINE

Ida M. Packard, Bethel.  
Evariste A. Chenard, Chisholm.  
Margaret I. Colby, Coopers Mills.

## MINNESOTA

Alice Lucille Wood, Cass Lake.  
Shirley M. Anderson, Evan.  
Mildred A. Olson, Harris.  
Jay P. Mortenson, Lyle.

## MISSOURI

Geraldine T. Johnson, Ash Grove.  
Raymond Nickles, Fair Play.  
Roy F. Irvin, Festus.  
Ruth J. Tate, Grain Valley.  
Cordie Opal Price, Green Castle.  
Jesse J. Ayer, Lancaster.  
David M. Weems, Neosho.  
Hazel A. Pollock, Powersville.  
Hubert B. Brown, Slater.

## NEVADA

Nettie W. Wills, Goldfield.

## NEW HAMPSHIRE

Raymond L. Jenkins, Reeds Ferry.

## NEW MEXICO

Pearl Komfala, Camerco.  
Meliton Struck, Ranches of Taos.

## OKLAHOMA

William Trigg Music, Elk City.

## OREGON

Donald R. Muth, Empire.  
Harold M. Laws, Rogue River.

## TEXAS

Andrew J. LeRibeus, Angleton.  
Collier M. Yeury, Howe.  
Louella Elam, Milano.  
Willie E. Warren, Paint Rock.  
Donald E. Williams, Seagraves.  
Ward O. Barker, Sulphur Bluff.

## VERMONT

Edward J. Duzinski, Essex Junction.  
Alice C. FitzSimonds, Underhill.

## VIRGINIA

Jesse N. Cahoon, Clifton Forge.

## WASHINGTON

Clare F. Lee, Colville.  
George A. Bremner, Jr., Lynden.

## WEST VIRGINIA

Hugh A. Christie, Everettville.  
Lindsey C. Foster, Pennsboro.  
Ethel N. Tuggle, Peterstown.  
Jack R. Michael, Prichard.  
Fred A. Williams, Princeton.  
Grace Watkins, Seth.

## HOUSE OF REPRESENTATIVES

MONDAY, MAY 7, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Most merciful and gracious God, we pray that Thou wilt expand our hearts with gratitude, for in Thy benevolent goodness we find an abundant supply for our many needs, strength for every task, wisdom for the solution of every problem, and consolation for every sorrow.

We thank Thee for the glorious assurance that we are all the children of Thy love and the subjects of Thy kingdom. Grant unto the members of the human family the grace to live together in the bonds of amity and brotherhood, seeking for one another those blessings which none can ever find or enjoy alone.

Enlarge our minds with a more eager spirit to help those for whom the struggle of life is so difficult. May we have the vision to see their point of view with sympathy and understanding, lest we become haughty in our judgments and hardened with self-interest and personal aggrandizement.

We pray for our President, our Speaker, and all of the chosen Representatives of our beloved country. Grant that they may be the honored servants of the Lord to hasten that glorious day of prediction when there shall be peace upon this earth. We thank Thee for

this day of gladness. May it be a day of penitence and of praise, of commemoration and of consecration when we shall dedicate ourselves to the fulfillment of that time when man everywhere shall be brought into a glad and willing obedience to the Prince of Peace.

Hear us in the name of Christ our friend and elder brother. Amen.

The Journal of the proceedings of Friday, May 4, 1945, was read and approved.

## RECESS OF THE HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order during the remainder of the day for the Speaker to declare such recess as he may desire, the reconvening of the House to be subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I do this for the purpose of making an inquiry as to the object of this request and ask for any detail that the gentleman might like to give us.

Mr. McCORMACK. In the event the hoped-for proclamation from an official angle of VE-day has arrived, I thought it might be that the Speaker would desire to have the House stand in recess. There are many rumors. The leadership, as far as I am able to ascertain, has nothing definite, although it is hoped that the official announcement may be made possibly some time during the afternoon, in which event the Speaker may desire to have the House stand in recess.

The SPEAKER. Permit the Chair to make this statement: The Chair has been in communication with the White House this morning. The Chair knows nothing more than any other Member of the House. But in case the President of the United States issues a proclamation this afternoon it will be on the air and the Chair has arranged that the Members may remain in their seats to hear this proclamation. The Chair thinks it would be wise, therefore, for the House to be in recess for this reason.

Mr. MARTIN of Massachusetts. Is it the understanding that after the proclamation comes, if it does come, we are going to continue to work for the rest of the day?

Mr. McCORMACK. That is our intention. I hope the House will concur in the thought that we go ahead with the work of the day as an example for the rest of the country. The House should continue to carry on its regular work even if the official announcement is made.

Mr. MARTIN of Massachusetts. I agree with the gentleman that we should set a good example here.

Mr. McCORMACK. I thank the gentleman.

Mr. RANKIN. Mr. Speaker, reserving the right to object, and I shall not, I wonder if it is the intention of the gentleman from Massachusetts to have the bells rung so that the Members will know when to be here.

Mr. McCORMACK. I think it is the understanding that the usual 15-minute notice will be given.

The SPEAKER. Of course, the Chair will give the 15-minute notice of the reassembling, but the Chair might not receive notice until 5 or 10 minutes before the President goes on the air, if he does go on today.

Mr. McCORMACK. Under those circumstances, I am sure the gentleman from Mississippi and the other Members of the House realize that it is best to leave that to the discretion of the Speaker.

Mr. RANKIN. But the bells will be rung?

Mr. McCORMACK. No matter what notice is given, that is something that could very easily be done, and I assume will be done.

The SPEAKER. The bells will be rung. They will ring five times for the recess. That should be notice to the Members that we are standing in recess for a specific purpose.

Mr. VOORHIS of California. Mr. Speaker, further reserving the right to object, I do so only to ask the majority leader and possibly the Chair if they feel it would be proper and fitting under the circumstances for Members to withhold any remarks they might feel they wanted to make on this occasion until after the President's proclamation has been made?

Mr. McCORMACK. Of course, that is a matter of discretion for each individual member, and I would not want to undertake to express an opinion on that.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## WAR DEPARTMENT REDEPLOYMENT PLAN

Mr. ANDREWS of New York. Mr. Speaker, in view of certain statements appearing in the press referring to the Committee on Military Affairs, I ask unanimous consent to proceed for not to exceed 10 minutes.

The SPEAKER. The Chair has talked to the gentleman from New York [Mr. ANDREWS] and thinks that under the circumstances, due to an injustice to the gentleman, the Chair is justified in breaking the 1-minute rule and entertaining the request that he may proceed for 10 minutes.

Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ANDREWS of New York. Mr. Speaker, within the last few days there has been certain publicity in the press referring to members of the Committee on Military Affairs of the House of Representatives which I regard as most unfortunate. My own opinion is that none of the information revealed was of a serious nature or even unknown, but it is unfortunate that in the time element of that publicity it came when it did, and not until the official War Department statement on redeployment had been made.

On Friday morning, like a number of other Members of Congress, I made a radio record in the sound studios here for transmission to New York State stu-



dios for VE-day. I made that record shortly after breakfast and before the Committee on Military Affairs met. I made it from knowledge of my own and what I thought were facts that had appeared in various publications in the United States, on the radio, and referred to in Congress, and some facts contained in General Marshall's letter to the chairman of our committee some time ago.

It was a short broadcast, and I am going to read it:

With VE-day now an actuality in Europe, we may well now take stock of our present situation. As I heard General Somervell at the War Department say the other day: The first half is over but we've still got to play the second half to a successful conclusion and in a sense we are now in between the halves. Certainly it is time for some serious contemplation, if we have any idea of the magnitude of the job still ahead of the armed forces, both Navy and Army.

In the Pacific the Navy, marines, and certain elements of our armies (the Sixth in the Philippines under Krueger and the Tenth on Okinawa under Buckner along with Army Air Forces) have, as we know, made great strides during the past 3 years in reducing the original gains of the Japanese and cutting down their sphere of military operations. This has been a steady series of advances through Guadalcanal, the Marshalls, Carolines, New Guinea, Truk, Guam, Saipan, and by by-passing ending with the recapture of the Philippines and the taking of Iwo Jima and now Okinawa. We have opened all necessary lanes of supply and established the essential bases from which by sea, air, and land we are now about in position to work out some final blows. We have destroyed a great portion of the enemy's navy and shipping—leaving them largely in a defensive position so far as their navy is concerned and we are much more than their equal with our Air Force—which is still nevertheless a threat on their part—due to their now fanatical suicide use of this weapon against our ships, carriers, transports, and installations.

Of the Jap Army generally estimated to have been of 5,700,000 men—we have either destroyed or rendered largely impotent through our advances and by-passing about a million men—leaving them still 4,700,000 trained men and further reserves in China, on the main Jap islands and in Manchuria, and it is this force that we must still be prepared to conquer. In this connection we should remember that Iwo Jima represented only 8 square miles of their territory and it was stubbornly defended by only 20,000 Japs. Our future operations in the Pacific must of necessity be on a much larger scale to bring the knockout blows.

This gives you some idea of the task the Army and the War Department now has on its hands. Of course, it may be that we will have material assistance from the Russians on top of, I understand, agreed participation by the British and I am one of those, who believe Russia will come into the picture against the Japs. Certainly in view of the general situation they should for Russia is Japan's traditional enemy.

Obviously, whether we like it or not, we must prepare to move many additional Army forces from the European theater to the Pacific and the War Department has its plans for this already under way. Our trained forces of reserves (ground forces) are now at a low mark—not over 70,000, and we cannot count much for new men beyond the increments from those attaining their eighteenth birthday—and the requirement for at least 6 months' training for them. Obviously, also, all of our extensive forces in Europe will not be required in the Pacific but a large proportion thereof must of necessity be used. With this in mind, the War Department has been

and is now making a very careful check-up on all personnel now in the European area with a view of arriving at a proper manner of relieving some from further necessity for service. This will be done on a point system rating all men on length of service, length of service overseas, days of actual combat, whether wounded or not, age, marital status, number of children and dependents. This, after all, would seem to be the only fair way to handle this difficult situation. Then all of these forces must be rearranged—some going direct to the Pacific and the main larger group back through this country to the Pacific.

Beyond this, our installations for assembly and retraining in the Philippines and the Pacific and maintenance of supply presents another stupendous task and, if for no other reason, no stone must be left unturned because of our debt to those who have given their lives in the Pacific and to those who have fought our battles out there for 3 years.

It is figured that an over-all average of 70 percent of our material in Europe will, after checking, be fit for use against the Japs, but it must be moved and this all takes ships, airplanes, gasoline, and a thousand other items—so there you are.

All of these vital considerations, to my mind, are the thoughts we should have in mind on this VE-day, if we are to play fair with those who have gone beyond, and to this we must dedicate our purposes.

After I made that radio address, I was asked some questions by newspapermen even before I attended the hearing of the Committee on Military Affairs. It is my firm belief that almost every word in that statement of mine was known generally throughout the Congress and by many American citizens. The United States News which came out yesterday had the story of the whole picture.

As I say, it is unfortunate that I made that statement before the official release of the War Department yesterday. I think most of the Members of the House will agree with me that the statement of the War Department redeployment plan, as announced yesterday, was a magnificent presentation in the premises, and it came just when we need it and when the American people need it.

As far as I know, no other members of the Committee on Military Affairs are involved in relaxation in this respect, and I accept on my own responsibility the full blame for it.

Mr. Speaker, I ask unanimous consent to print in the Appendix of the RECORD the full statement issued by the War Department yesterday covering its proposed redeployment plan in general.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### RATE OF EXCHANGE BETWEEN AMERICAN, FRENCH, AND ITALIAN CURRENCIES AND PAYMENT OF AMERICAN ARMED FORCES ABROAD IN FOREIGN CURRENCY

Mr. MAY. Mr. Speaker, I present a privileged resolution, House Resolution 150, from the Committee on Military Affairs of the House and ask for its consideration.

The Clerk read the resolution, as follows:

Resolved, That the Secretary of War is directed to transmit to the House, within

10 days after the adoption of this resolution, the following:

(1) Copies of all documents and memoranda in the possession of the Department of War on the basis of which it was determined that the payment, in whole or in part, of members of the armed forces abroad in currency other than legal tender of the United States is lawful under the laws of the United States, and copies of all documents and memoranda in the possession of such Department on the basis of which the policy of making such payments in foreign currency was adopted;

(2) Copies of all documents and memoranda in the possession of the Department of War relating to the manner in which the governing bodies in France and Italy attempt to control the rate of exchange between the dollar and their respective local currencies;

(3) All facts in the possession of the Department of War with respect to the sources from which, and the manner in which, the currencies of France and Italy are secured by the Army for the purpose of disbursing pay in such currencies to members of the Army;

(4) All facts in the possession of the Department of War with respect to the use or disposition of dollars, if any, exchanged by the Army for such local currencies;

(5) All facts in the possession of the Department of War with respect to the agreements, if any, made with French and Italian officials with respect to the rate of exchange between the dollar and French and Italian currencies.

Mr. ANDERSON of California. Mr. Speaker, will the gentleman yield?

Mr. MAY. Yes; I am happy to yield to the gentleman.

Mr. ANDERSON of California. I understand this is the usual procedure in connection with privileged resolutions. I further understand that the Committee on Military Affairs now has a complete report from the War Department which, however, has been listed as confidential. It is available to the Members of the House; is that correct?

Mr. MAY. The report is on file with the committee and is available to the Members of the House. It is stated by all three of the Departments that participated in the preparation of it, that is, the War Department, the State Department, and the Treasury Department, that there is much confidential information contained in the report and in the public interest ought not to be made public. It is therefore available to all Members of the House.

I would like to say, Mr. Speaker, while I am on my feet, that the gentleman from California [Mr. ANDERSON], the author of the resolution, has been extremely courteous and cooperative with the committee about the matter. He allowed it to be deferred far beyond the 7 days fixed by the rules of the House, and has cooperated with us in every respect. We appreciate it.

Mr. ANDERSON of California. Mr. Speaker, I thank the chairman of the Committee on Military Affairs for that statement. I notice in reading a copy of the report which was made available to me by the chairman of the committee that the War Department stated, although the entire report is confidential in nature, they would be willing, at the request of the committee to prepare a

report which would not be confidential covering the salient features in their full report.

Mr. MAY. They are preparing that report now. As soon as it is available, we will either have it printed or furnish copies of it to the gentleman from California or any other Members who may wish to look at it. It will be on file in the committee.

Mr. ANDERSON of California. I thank the gentleman.

Mr. MAY. Mr. Speaker, I ask unanimous consent that the resolution be laid on the table.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and include in the Appendix of the Record a statement by Matthew Woll before the Committee on Ways and Means this morning.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### FREE MEN OF GOD

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, in view of the rapidity with which events are happening, I wish to try to fix responsibility on the home front by reading a very short poem:

#### FREE MEN OF GOD

Free men of God, the New Day breaks  
In golden gleams across the sky;  
The darkness of the night is past,  
This is the Day of Victory!  
For this our fathers strove  
In stern and fiery love—  
That men to come should be  
Born into liberty—  
That all should be—as we are—free!

Free men of God, gird up your loins,  
And brace you for the final fight!  
Strike home, strike home for Truth and Right!

Yet bear yourselves as in His sight!  
For this our fathers fought,  
This with their lives they bought—  
That you and I should be  
Heirs of their liberty—  
That all should be—as we are—free!

Free men we are and so will be;

We claim free access unto Him,  
Who widened all the bounds of life,  
And us from bondage did redeem.

Let no man intervene,  
Or draw a veil between  
Us and our God, for He  
Would have His people free—  
And we would be—as Thou art—free!

Free men of God, your birthright claim!  
Our fathers won it with a price.  
They paid in full to ax and flame,  
Nor counted up the sacrifice.

This is our heritage,  
And here we do engage,  
Each man unto his son  
Intact to pass it on.  
So shall they be—as we are free!

Our sure defense, in times of stress,  
Thy gates stand open, wide and free,  
When men provoke and wrongs oppress,  
We seek Thy wider liberty.

With loftier mind and heart,  
Let each man bear his part!

So—to the final fight,  
And God defend the right!  
We shall, we must, we will be—free!

—John Ozenham.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. BRYSON. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the regular business and any other special orders, I may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

#### EXTENSION OF REMARKS

Mr. O'NEAL asked and was given permission to extend his remarks in the Record and include an editorial from the Washington Star.

Mr. FOLGER asked and was given permission to extend his remarks on the subject 'A Just and Lasting Peace; also to include an editorial by Hon. Josephus Daniels.

Mr. WASIELEWSKI asked and was given permission to extend his remarks in the Record on three subject matters, one to include an editorial from the Milwaukee Journal; in the second, an article from the Evening Star, and in the third, an editorial from the New York Times.

Mr. CELLER asked and was given permission to extend his remarks in the Record on the subject of universal training.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the American Forum of the Air and to include a manuscript, the cost of which, according to the Public Printer, will be \$182. I ask unanimous consent that notwithstanding the additional cost the article may be printed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOCH asked and was given permission to extend his remarks in the Record and include a very timely sermon.

Mr. BLAND asked and was given permission to extend his remarks in the Appendix of the Record and include a letter and a memorandum from Admiral Vickery on ship construction.

Mr. BLAND asked and was given permission to extend his remarks in the Record and include an article prepared by Arthur M. Tode, honorary president, Propeller Club of the United States, discussing an article by Mr. Lewis W. Douglas.

Mr. COFFEE asked and was given permission to extend his remarks in the Record on five topics and to include excerpts from newspaper article and letters.

Mr. D'ALESSANDRO asked and was given permission to extend his remarks in the Record and include an address by the Polish Ambassador to the United States.

Mr. KEFAUVER asked and was given permission to extend his remarks in the Record and include an editorial from the Nashville Tennessean.

Mr. LARCADE asked and was given permission to extend his own remarks in the Record.

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the Record and include an editorial about Senator GLEN H. TAYLOR, taken from the May 2, issue of Progressive.

Mr. ANGELL asked and was given permission to extend his remarks in the Record on three different subjects and to include short excerpts therewith.

Mr. ELLIS asked and was given permission to extend his remarks in the Appendix of the Record and include certain published statements.

Mr. HALE asked and was given permission to extend his remarks in the Record and include a radio address delivered by him on May 5.

#### VE-DAY

Mr. MCKENZIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MCKENZIE. Mr. Speaker, we are all thrilled, yet humbly grateful, over the announcement of the cessation of all fighting in Europe. VE-day is here. Today is VE-day, thanks to God and the power and leadership of American arms.

Now that we have won one of our two wars we will naturally begin to think of demobilization and the reduction of our armed forces. We all know that it was the concerted effort of a well rounded coordinated military might—all the branches of the service—that brought us victory. However, I think it only right and proper that we recognize the part played by the Air Corps. Field Marshal von Rundstedt, the Nazi commander in the west, said:

Three factors defeated us in the west where I was in command. First, the unheard of superiority of your Air Force which made all movement in daytime impossible. Second, the lack of motor fuel—oil and gas—so that the Panzers, and even the remaining Luftwaffe, were unable to move. Third, the systematic destruction of all railway communications so that it was impossible to bring a single train across the Rhine. This made impossible the reshuffling of our troops and robbed us of all mobility.

Our production was greatly interfered with by the loss of Silesia and bombardments of Saxony as well as the loss of oil reserves of Rumania.

In other words, aerial bombing so paralyzed the Nazi war effort that the war was shortened by many months, saving the lives of thousands of American boys. Let us not forget the lesson.

When we start postwar disarmament let us be sure that we retain a strong, very strong, Air Force and see that it is kept the largest, best trained, and most advanced in the world. Therein lies the greatest guarantee of American safety and world peace.



## THE CYCLE OF CIVILIZATION

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, it has been called to my attention that today is the thirtieth anniversary of the sinking of the *Lusitania*. It seems fitting that the surrender of Germany should have come at this time. In a sense, it may be said that the history of civilization has taken one full turn. This war with Germany in effect began with the sinking of the *Lusitania*. We had an armistice in 1918. The war against Germany has now been completed as far as the fighting is concerned. We can hope that this day marks the beginning of a new era in Christian civilization in which the right to life, liberty, and the pursuit of happiness will be universally respected.

## ILL-ADVISED CELEBRATION

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, the world is awaiting the announcement that the fighting is over in Europe. Already we have been subjected to the agony of one false alarm. With hope in their hearts an unprecedented number of press representatives even now are gathered at the White House expecting the announcement that is to be made simultaneously from London, Moscow, and Washington, but no word has been given them.

In spite of this, the radio has been filling the air with the word that complete capitulation has taken place. I am glad I do not know who is responsible for this second false report.

Disregarding the earnest words of the President, in which he urged the country to meet VE-day with prayer rather than with wild orgies, New York has turned itself into a madhouse. Only an hour ago I was told by telephone that torn up paper and streamers are being thrown from office windows, thousands are milling around, and Times Square is one solid mass of humanity. What a spectacle with a continent in shambles?

How can we do this? Have we no thought of the broken hearts and destroyed homes? Have we no realization that even though the fighting ends, peace is a long way off? Have we forgotten that for us it may well be that the major part of our war has just begun? How can we be so heartless? Instead of this shocking orgy of wild hilarity, we should weep tears of gratitude, praying to the Eternal God for understanding and for wisdom, humbly recognizing that He and He only can bring us to peace.

## EXTENSION OF REMARKS

Mr. JOHNSON of Illinois asked and was given permission to extend his re-

marks in the Appendix of the RECORD and include a poem.

Mr. BENNETT of Missouri asked and was given permission to extend his own remarks in the Appendix of the RECORD.

Mr. GAVIN asked and was given permission to extend his remarks in the Appendix of the RECORD and to include therein an article from the Times-Herald.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Veterans of Foreign Wars, Trojan Post.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD in two instances, in one to include a statement by myself on the new postal pay bill which has been introduced, and in the other to include an editorial from the Greenville News, of South Carolina.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WHITE asked and was given permission to extend his own remarks in the RECORD and include a magazine article.

## WHAT IS OUR OBJECTIVE IN THE PACIFIC?

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, from the morning paper we learn that organized fighting in Europe has ended. From the same source comes the information that the British are fearful of what Russia may do; that she may move too far to the west; that the internationalists now propose to keep several million young Americans in Europe policing the territory wrested from the enemy by our troops, rebuilding the ruined towns and cities and at the same time watch the Russians.

Is it possible that if Stalin moves further to the west than the British think he should, our men are to be used as a threat or to do actual fighting against the Russians to hold them to a certain territory?

Again we are told that 2,000,000 or more men must be sent to the Pacific to complete the conquest of the thousands of islands and of Japan. Forty or fifty million Americans who have, or will have relatives engaged in the war in the Pacific, in view of the statements which have been made by some of the internationalists, would like to know how many of the islands of the Pacific the British and the Dutch want retaken by our men.

How many American lives are to be sacrificed in the retaking of territory which is unnecessary for our own defense; which is to be given back to either

the British or the Dutch after the job has been finished.

Fifty million Americans want to know whether the war in the Pacific is to be a war of conquest, fought by Americans, for the benefit of others, or whether it is to end when the welfare of the United States has been made secure.

## DOMESTIC RUBBER

Mr. SLAUGHTER, from the Committee on Rules, submitted the following privileged report from the Committee on Rules (H. Res. 245, Rept. No. 245) which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2347) to provide and insure a dependable supply of domestic natural rubber, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

## CAPT. JAMES K. VARDAMAN, JR.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I desire to commend the President of the United States for one of his recent selections in the appointment of Capt. James K. Vardaman, Jr., as his naval aide.

Captain Vardaman is the son of a former Governor of and Senator from the State of Mississippi.

He was a captain of artillery in the last war and served by the side of President Truman in the Argonne Forest. He is a captain in the Navy in this war and was wounded in action recently in the Southwest Pacific.

On one occasion I heard Captain Vardaman pay President Truman one of the highest compliments possible. He said, "I have known Harry Truman intimately for 25 years and I can say without reservation that there is not a man in America who strives harder to live up to the principles of the Ten Commandments, the Golden Rule, and the Sermon on the Mount than Harry Truman."

The SPEAKER. The time of the gentleman has expired.

## EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include an article.

## GERMAN ATROCITIES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, to revise and extend my remarks, and to include therein a report appearing in the Washington Star of yesterday of the American newspaper editors who are now in Europe investigating Nazi brutalities.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. McCORMACK addressed the House. His remarks appear in the Appendix.]

## CARE OF WAR VETERANS

Mr. CLASON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CLASON. Mr. Speaker, on this day of thanksgiving we are all proud of our fellow Americans who have made VE-day possible. This and subsequent Congresses will see to it that the dependents of those who have been killed and those veterans who have been wounded and who are disabled are well taken care of.

After the fall of the Philippines, the men who were liberated and who had been prisoners of the Japanese were promoted in rank, and their terrible ordeals were recognized by General MacArthur and the War Department. I am thinking now of the 85,000 or more American officers and enlisted men who have been prisoners of the Germans. The atrocities inflicted upon them and the suffering which they endured have earned for them the careful and sympathetic consideration of our Government.

I hope that the War Department and the Congress will see to it that they get the same liberal treatment that was accorded those who were made captive in the Philippines.

## CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

## TITLE XVIII OF THE UNITED STATES CODE

The Clerk called the bill (H. R. 2200) to revise, codify, and enact into positive law, title 18 of the United States Code, entitled "Crimes and Criminal Procedure."

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

## AMENDING NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 513) to amend the Nationality Act of 1940 to preserve the residence for naturalization purposes of certain aliens who serve in the military or naval forces of one of the Allied countries during the Second World War or otherwise assist in the Allied war effort, and for other purposes.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

## SETTLEMENT OF CLAIMS OF MILITARY PERSONNEL

The Clerk called the bill (H. R. 2063) to provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object. Two weeks ago I asked that this bill be passed over on account of the fact that the report was not in proper form. At present they have provided a supplementary report and it is all in order, so that I am withdrawing my objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc., That the Secretary of War, and such other officer or officers as he may designate for such purposes and under such regulations as he may prescribe, are hereby authorized to consider, ascertain, adjust, determine, settle, and pay any claim against the United States, including claims not heretofore satisfied arising on or after December 7, 1939, and not later than 6 months after the termination of the wars in which the United States is now engaged, as proclaimed by the President, or such earlier date as the Congress, by concurrent resolution, may fix, of military personnel and civilian employees of the War Department or of the Army, when such claim is substantiated, and the property determined to be reasonable, useful, necessary, or proper under the attendant circumstances, in such manner as the Secretary of War may by regulation prescribe, for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service, or to replace such personal property in kind: *Provided*, That the damage to or loss, destruction, capture, or abandonment of property shall not have been caused in whole or in part by any negligence or wrongful act on the part of the claimant, his agent, or employee, and shall not have occurred at quarters occupied by the claimant within continental United States (excluding Alaska) which are not assigned to him or otherwise provided in kind by the Government. No claim shall be settled under this act unless presented in writing within 1 year after the accident or incident out of which such claim arises shall have occurred: *Provided*, That if such accident or incident occurs in time of war, or if war intervenes within 2 years after its occurrence, any claim may, on good cause shown, be presented within 1 year after peace is established. Any such settlement made by the Secretary of War, or his designee, under the authority of this act and such regulations as he may prescribe hereunder, shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.*

SEC. 2. Such appropriations as may be required for the settlement of claims under the provisions of this act are hereby authorized. Appropriations available to the War Department for the settlement of claims under the provisions of the act of March 3, 1885 (23 Stat. 350), as amended, shall be available

for the settlement of claims under the provisions of this act.

SEC. 3. Sections 3483-3488 of the Revised Statutes (31 U. S. C. 209-214), and the act of March 3, 1885 (23 Stat. 350), as amended by the act of July 9, 1918 (40 Stat. 880), and by the act of March 4, 1921 (41 Stat. 1436; 31 U. S. C. 218-222), and by section 6 of the act of July 3, 1943 (57 Stat. 374; 31 U. S. C. 222a, 222b), are hereby repealed.

SEC. 4. That portion of section 1 of the act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), reading as follows: "The provisions of this act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for damage to or loss or destruction of property of military personnel or civilian employees of the War Department or of the Army, or for personal injury or death of such persons, if such damage, loss, destruction, injury, or death occurs incident to their service," is hereby amended, effective as of the date of approval of said act, to read as follows: "The provisions of this act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for personal injury or death of military personnel or civilian employees of the War Department or of the Army if such injury or death occurs incident to their service."

SEC. 5. This act may be cited as the "Military Personnel Claims Act of 1945."

With the following committee amendment:

Page 1, line 8, after "1939", strike out down to and including the word "fix", on page 2, line 4.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISCONTINUING CERTAIN REPORTS  
REQUIRED BY LAW

The Clerk called the bill (H. R. 2504) to discontinue certain reports now required by law.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, when this bill was called up on the last call of the Consent Calendar, I suggested that the chairman of the Committee on Expenditures in the Executive Departments refer the bill to the ranking minority members of the committees having jurisdiction over reports which are proposed to be discontinued. In addition to that, I took it upon myself to write to the ranking minority members of the various committees, and so far have received a reply from but one who indicated that some of the reports in connection with the Indian Affairs should not be discontinued. In view of the fact that there is this expression from at least one member of a committee that it should not be passed by unanimous consent, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.



## SAN CARLOS IRRIGATION PROJECT

The Clerk called the bill (H. R. 1656) to authorize the Secretary of the Interior to modify the provisions of a contract for the purchase of a power plant for use in connection with the San Carlos irrigation project.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is authorized and directed, with the consent of the Christmas Copper Corporation, to modify the provisions of the contract entered into on June 19, 1942, whereby the United States agreed to purchase the Diesel electric-generating plant of the said corporation for use in connection with the San Carlos irrigation project for the sum of \$27,000 in cash and electric power of the value of \$33,000 to be delivered to and accepted by the said corporation prior to December 31, 1944, so as to provide for either (1) the payment to the said corporation, in addition to amounts heretofore paid and electric power heretofore delivered, the sum of \$18,700 (the appropriation of which is hereby authorized), or (2) the delivery to the said company, during the 3-year period beginning on January 1, 1945, of the equivalent thereof in electric power at the rates established by the general rate schedule for the San Carlos project power system, the said company having been unable, because of circumstances beyond its control, to utilize the amount of electric power which it agreed to accept under the provisions of such contract within the period therein prescribed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## FOURTH-CLASS MAIL MATTER

The Clerk called the bill (H. R. 2502) readjusting the rates of postage on fourth-class mail matter, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, several Members have expressed an interest in this bill and feel it should not be passed by unanimous consent. I therefore ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

## DOMESTIC NATURAL RUBBER

The Clerk called the bill (H. R. 2347) to provide and insure a dependable supply of domestic natural rubber, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

## KLAMATH TRIBE OF INDIANS

The Clerk called the bill (H. R. 2296) amending the Act of June 25, 1938 (52 Stat. 1207), authorizing the Secretary of the Interior to pay salary and expenses of the chairman, secretary, and interpreter of the Klamath General Council,

members of the Klamath business committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe, as amended, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 655, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the Clerk read the Senate bill as follows:

*Be it enacted, etc.,* That the act approved June 25, 1938 (52 Stat. 1207), as amended, be, and the same hereby is, further amended so as to read in full as follows:

"The Secretary of the Interior, or such official as may be designated by him, is hereby authorized beginning as of July 1, 1937, and until otherwise directed by Congress, to pay out of any unobligated tribal funds of the Klamath Indians in the Treasury of the United States salaries and expenses to the chairman, secretary, an interpreter of the Klamath General Council and members of the Klamath business committee or other committees appointed by the Klamath General Council (except the Klamath Reimbursable Loan Fund Board), when engaged on business of the tribe, and to such official delegates of the Klamath Tribe who may carry on the business of the tribe at the seat of government: *Provided*, That the rate of salary and per diem paid shall be fixed in advance by resolution of the Klamath General Council, subject to the approval of the Commissioner of Indian Affairs, except that additional salaries and expenses, fixed and approved in the same way, may be made retroactive to July 1, 1943: *Provided further*, That the official delegates of the tribe carrying on said business at the seat of government shall receive, if travel is by rail, the usual railroad and sleeping-car transportation to and from the seat of government, or, if travel is by automobile, delegates furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further*, That the aforesaid official delegates shall also receive reimbursement for telegraphic expenses incurred on tribal business: *Provided further*, That the aforesaid salaries and expenses shall not exceed \$15,000 per annum: *Provided further*, That the length of stay of the official delegates at the seat of government shall be determined by the Commissioner of Indian Affairs."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 2296) was laid on the table.

## LEASING OF INDIAN LANDS FOR BUSINESS

The Clerk called the bill (H. R. 2586) to authorize the leasing of Indian lands for business, and other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding any other provisions of law, with the consent in writing of the individual Indian, association of Indians, or Indian tribe concerned, any restricted Indian lands may be leased for (1) public, religious, educational,

or business purposes; (2) the use and benefit of enterprises operated by Indian groups; or (3) other beneficial purposes for periods not to exceed 25 years under such rules and regulations as the Secretary of the Interior may prescribe.

Sec. 2. Such leases may be made by the individual Indian owner of the land or by the authorized representatives of the tribe or group of Indians to whom the land belongs, subject to the approval of the Secretary of the Interior or his authorized representative. Restricted allotments of deceased Indians, when the heirs or devisees cannot agree on a lease, may be leased for them in the manner prescribed by the act of July 8, 1940 (54 Stat. 745, ch. 554). No lease shall be made by or on behalf of any tribe organized in accordance with the act of June 10, 1934 (48 Stat. 984), for a longer period than is authorized by the tribal constitution or charter. Nothing contained in this act shall be construed to repeal any authority to lease restricted lands which any Indian, Indian tribe, or official of the Department of the Interior would have in the absence of this act.

With the following committee amendments:

Page 1, line 6, after "for", strike out "(1) public, religious, educational, or business purposes; (2) the use and benefit of enterprises operated by Indian groups; or (3) other beneficial purposes" and insert "religious, educational, recreational, business, or public purposes, including, but not limited to, airports, experimental station, stockyards, warehouses, and grain elevators."

Page 2, line 4, after "prescribe", insert a colon and the following: "*Provided*, That nothing in this act shall be deemed to authorize such leases for the exploitation of any natural resources."

Page 2, line 7, after "made" insert "only."

Page 2, line 16, strike out "organized in accordance with the act of June 10, 1934 (48 Stat. 984)."

Page 2, line 17, after "is", insert "or may be."

Page 2, line 18, strike out "or charter" and insert "charter, or ordinances."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## APPOINTMENT OF FOURTH-CLASS POSTMASTERS IN ALASKA

The Clerk called the bill (H. R. 656) to provide further for the appointment of postmasters for fourth-class post offices in the Territory of Alaska.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That notwithstanding any other provision of law, any officer, agent, or employee of the United States Government shall be eligible to appointment as postmaster of a fourth-class post office in the Territory of Alaska and may serve and act as such postmaster and receive the compensation provided by law for such services.

With the following committee amendment:

Line 4, after "Government," insert "who is a citizen of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

# APPREHENSION AND PUNISHMENT OF WAR CRIMINALS

The Clerk called the concurrent resolution (H. Con. Res. 39) to declare a governmental policy in relation to the apprehension and punishment of war criminals.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the concurrent resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

# IMMIGRATION AND NATURALIZATION SERVICE

The Clerk called the bill (H. R. 386) to amend the law relating to the authority of certain employees of the Immigration and Naturalization Service to make arrests without warrant in certain cases and to search vehicles within certain areas.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

# COMMISSIONER OF IMMIGRATION AND NATURALIZATION

The Clerk called the bill (H. R. 1104) to amend section 23 of the Immigration Act of February 5, 1917.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 23 of the act of February 5, 1917 (39 Stat. 892; U. S. C., title 8, sec. 102), be, and it hereby is, amended by inserting the following after the first sentence thereof: "He shall receive a salary of \$10,000 per annum."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

# SIOUX INDIANS

The Clerk called the bill (H. R. 378) authorizing an appropriation to carry out the provisions of the act of May 3, 1928 (45 Stat. 484), and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, the report accompanying this bill omits the report which was submitted to the Committee on Indian Affairs by the Secretary of the Interior. Apparently the report was prepared before the communication was received from the Department of the Interior.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. May I call the attention of the gentleman to the fact that representatives of the Department of the Interior were present and appeared before the committee at the time the bill was under consideration, and they gave the report orally. At that time it had not formally cleared the Bu-

reau of the Budget, but it was understood the clearance had been assured. Subsequently the report was cleared by the Bureau of the Budget and was received by the chairman of the committee. Believing that it should be available for the information of the Members of the House, I obtained a copy of the report and, with the permission of the House, placed it in the RECORD of last Friday, May 4, so that it might be available for consideration at this time.

Mr. COLE of New York. I suggest that the communication from the Department of the Interior be prepared by the Committee on Indian Affairs and submitted to the House as a supplemental report to accompany its original Report No. 376. In order that that might be done, Mr. Speaker, I ask unanimous consent that the bill be passed over.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, I merely wish to say I think it is a reasonable request that the report be made available in that form as a part of the history of its consideration. I have no objection to the bill being passed over with that understanding.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

# TO REPATRIATE NATIVE-BORN WOMEN RESIDENTS OF THE UNITED STATES

The Clerk called the bill (H. R. 384) to repatriate native-born women residents of the United States who have heretofore lost their citizenship by marriage to an alien.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.,* That section 317 (b) (1) of the Nationality Act of 1940 (U. S. C., 1940 edition, title 8, sec. 717 (b) (1)) is amended by inserting after "terminated" the following: "or who has resided continuously in the United States since the date of such marriage."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

# AMENDING SECTION 334 (c) OF NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 385) to amend section 334 (c) of the Nationality Act of 1940 approved October 14, 1940 (54 Stat. 1156-1157; 8 U. S. C. 734).

The SPEAKER. Is there objection to present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, this is one of a number of bills seeking to amend the Nationality Act piecemeal. It provides two things, first, to eliminate the 60-day period before an election, and, second, to give the Commissioner authority to waive the 30-day period. I would like to know from the chairman of the committee why this 30-day period should be waived.

Mr. MASON. May I answer the gentleman?

Mr. KEAN. I am glad to yield.

Mr. MASON. This is a bill which was passed at the last session and was stalled in the Senate. Giving the Commissioner the power to waive the 30-day limit was

necessary because in many of these cases where wartime conditions affect the situation, and many of these people are in the service and their parents are in the service, the 30-day limit was not needed. In those cases, the Commissioner, in his discretion, could waive it. But it was not thought best to remove it entirely because there are many cases in which they need the 30-day limit in order to make further investigation.

Mr. KEAN. In other words, you leave it entirely up to the Commissioner to choose or decide what he wants to do?

Mr. MASON. No; it depends on whether the Commissioner decides it is an emergency case or a case involving war conditions.

Mr. KEAN. It does not say anything about war conditions.

Mr. MASON. There are many of these people being naturalized under war conditions or war legislation. In that case, there would be no need of further investigation or time for further investigation because the facts themselves prove the desirability of such person being naturalized. But in the ordinary case, they may want 30 days to make further investigation and, therefore, they did not want it to be eliminated entirely, but that he would have the power to say, if it was an emergency case, "We do not need 30 days."

Mr. KEAN. Who is being injured by this 30-day provision?

Mr. MASON. These applicants for naturalization papers, who, because of war conditions, cannot wait the 30 days?

Mr. KEAN. Why not?

Mr. MASON. They are being sent somewhere on an errand and they must be citizens before they can be sent to other countries.

Mr. KEAN. You mean soldiers?

Mr. MASON. Not soldiers.

Mr. KEAN. Soldiers have separate provisions.

Mr. MASON. Yes, I know; but there are many cases in which Government officials and representatives of the Government must be sent. That is the type of case involved.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 334 (c) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1156-1157; 8 U. S. C. 734), is hereby amended to read as follows:

"(c) Except as otherwise specifically provided in this chapter, no final hearing shall be held on any petition for naturalization nor shall any person be naturalized nor shall any certificate of naturalization be issued by any court within 30 days after the filing of the petition for naturalization. This period may be waived by the Commissioner in his discretion."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

# CONGRESSIONAL MEDAL OF HONOR TO THE LATE PRESIDENT, FRANKLIN DELANO ROOSEVELT

The Clerk called the bill (H. R. 2966) authorizing the President of the United States to award posthumously a Con-



gressional Medal of Honor to Franklin Delano Roosevelt.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent that the bill be passed over.

Mr. MARCANTONIO. Mr. Speaker, I object.

Mr. DICKSTEIN. Mr. Speaker, I object.

Mr. McCORMACK. Reserving the right to object, would the gentleman mind explaining why?

Mr. ROBSION of Kentucky. Yes. I shall be glad to do so.

The Congressional Medal of Honor was first authorized by an act of Congress of December 21, 1861, when it was limited to noncommissioned officers and enlisted men of the Navy and Marine Corps. In 1862 Congress authorized this decoration for enlisted men of the Army.

An act of Congress of March 3, 1863, for the first time authorized this medal for commissioned and noncommissioned officers as well as privates of the Army; and it was not until 1915 that the award was authorized for commissioned and noncommissioned officers of the Navy, Marine Corps, and Coast Guard.

This is the highest decoration that can be awarded by this Nation to an officer or enlisted man serving in the armed forces of the United States. Under the law it can only be awarded to those officers and enlisted men who were in actual conflict or combat with the enemy, and so distinguished themselves conspicuously by gallantry and intrepidity at the risk of their own lives, above and beyond the call of duty.

Our late lamented President never wore our country's uniform; he was never engaged in combat with the enemy; he was Commander in Chief, yet he was a civil officer.

For 84 years this medal, under the law, could be awarded only to those who go far beyond their duty and perform extraordinary services at the risk of their lives in actual combat or conflict with the enemy. This resolution amends the law to give the medal to President Roosevelt.

This resolution could not honor President Roosevelt. He was elected President of the United States four times; he was Assistant Secretary of the Navy; he was Governor of the great State of New York; he had other signal honors conferred upon him in recognition of his accomplishments in his particular field or fields. This resolution adds nothing to his honors. It is my honest conviction that it would not add to his great achievements, but it would detract from the glorious traditions of the Army, the Navy, the Marine Corps, and the Coast Guard.

I certainly would not withhold my support of any resolution giving President Roosevelt such honors as his record merits as Governor, Assistant Secretary of the Navy, and President of the United States. But I would not feel justified in changing this general law and breaking the precedents of 84 years and thereby detracting from the honor of those who

have won this medal through heroic achievement at the risk of their lives above and beyond the call of duty in actual combat with the enemy. The bestowal of this medal would not help former President Roosevelt but it would open the doors. We have another bill before the Committee on the Judiciary to grant the Congressional Medal of Honor to the late lamented Ernie Pyle, who was greatly beloved by all the defenders of this country and who brought words of cheer to wives and fathers and mothers of our defenders, and whose courage and messages helped to sustain the morale of the American people.

Ernie Pyle was a newspaper correspondent. Like President Roosevelt he never wore his country's uniform; yet he gave his life on Okinawa Island. He stopped a Japanese bullet. However great my admiration for Ernie Pyle, I could not conscientiously vote to give him the Congressional Medal of Honor. Let me repeat: under the law and the practice from 1861 to this time this highest of our decorations can only go to those in our armed services who risk their lives above and beyond the call of duty.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. MAY. There is a difference, however, between the President and Ernie Pyle as I understand it. Ernie Pyle died in actual combat but was not in uniform as I understand it.

Mr. ROBSION of Kentucky. It is true that Ernie Pyle was not in uniform and neither did the President of the United States wear a uniform. Ernie Pyle assumed that great danger as a civilian. He was performing heroic services, as have many other correspondents who have given their lives in this war, in the service of their newspapers and of our country. This decoration is for those of our armed forces who risk their lives or are killed in defense of our country, who are under the call of their country, and perform these heroic deeds at the risk of their lives above and beyond the call of duty.

I would very willingly vote an appropriate medal for Ernie Pyle and the other brave correspondents who have given their lives.

A good Democrat from Texas, a member of the Committee on the Judiciary, when this resolution was up before our committee pointed out that Abraham Lincoln was assassinated during the Civil War and while he was Commander in Chief. His assassination grew out of the bitterness of that great war. Lincoln was not awarded the Congressional Medal of Honor.

I regret exceedingly that this bill was ever introduced or that it was brought before this Congress—not that I would not be willing to honor former President Roosevelt by any resolution in keeping with his life and achievements in his field. I have heard it said during this war, when certain Members of the House and Senate have died that these men gave their lives as truly as men give their lives on the battlefield. I know that Members of the House and Senate are wearing their lives out by reason of ex-

traordinary responsibilities and duties that are thrust upon them and I greatly admire and honor them. They can quit any time they want to and so can the President or any civil officer of this Government. Not so those in the armed forces. Whatever dangers and perils may come, our defenders must meet them, as patriotic, courageous men.

This medal cannot be given to those who have done no more than their duty. Tens of thousands of men in this war, on every land and every sea and every battle front, have gone up against machine guns, shell fire, flame throwers, big guns, submarines, and have been cooked in oil when their ships were torpedoed and have been shot down and their bodies consumed in flames of their planes, beaten and stoned to death in enemy prisons. But they did not get the Congressional Medal of Honor because that was their duty and they did what they did in line of duty. This highest of all decorations goes only to those who go far beyond the call of duty and risk their lives.

About 14,000,000 men have been inducted into the armed services during this war; about 200,000 have given their lives, and 700,000 are broken in body and mind, and 100,000 are missing in action. Others have lost their sight, others 1 or both legs, or 1 or both arms, but out of the 14,000,000 only about 160 have been awarded the Congressional Medal of Honor. This gives us some appreciation of the requirements for receiving this highest award our country can bestow upon its defenders. And it is gratifying to know that this award is going to some buck privates, gobs, and up to some of our highest commanding officers in the Army, Navy, and Marine Corps.

If we depart from the general law and the requirements for this decoration, how soon will it be that someone introduces a bill to give some person the Purple Heart who has not been actually wounded in combat with the enemy?

Only recently a coal miner, 22 years of age, from the hills of Kentucky, residing in my district, on the western front in October 1944, when they were fighting for every foot—he and his company were ordered to take a German position on a hill. They had to fall back 200 feet because of superior numbers and equipment of the Germans. But only 33 survivors fell back. His commanding officers and comrades fell still farther back. But this private soldier, Wilbur K. Ross, a coal miner, who had the only machine gun in the outfit moved out in front of his company. His commanding officer told him to come back. He replied, "I will sweat it out." There he withstood 9 attacks of the Germans who came down the hill. Eight times the Germans fell back. When they fell back from the eighth attack he was out of cartridges, but the Germans did not know that.

His officers again yelled, "Come out of there!" He said, "No; I'll sweat it out." And he went on. Some comrade slipped through the grass and bushes and brought him more shells. He met the ninth attack and when the Germans fell back again there were 58—58 Germans

piled up around him, at least 40 dead and 18 wounded. Only 8 of his comrades were left. Over the protest of his officers he refused to go to the rear for rest. He remained on duty for 36 consecutive hours, and he has continued on duty fighting in France and Germany ever since.

That is the kind of heroism that must be displayed in actual combat to receive this priceless decoration.

The Congressional Medal of Honor, the Purple Heart, and other medals belong to the fighting men of our armed services. I insist that the passage of this resolution cannot add to the honors of our former President. I sincerely believe that it will detract from his honors when his friends reach out and propose by this resolution to give him this distinction which is denied him by the laws of our country, a distinction which belongs solely and alone to the fighting men of our Republic.

Personally, I feel that I would not be worthy to represent Wilburn K. Ross and the many other heroic men who have won and who hold this coveted decoration and others if I did not have the courage to stand up and preserve their integrity so that through the years they will continue as beacons to the heroic fighting men—privates, noncommissioned and commissioned officers—of the finest and best Army, Navy, Marine Corps, Air Force, and Coast Guard in all the world.

And I shall continue, so long as I am a Member of Congress, to resist any such effort.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Is there objection to the present consideration of the bill?

Mr. ROBSION of Kentucky. Mr. Speaker, I object.

#### TO AMEND SECTION 327 (h) OF THE NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 392) to amend section 327 (h) of the Nationality Act of 1940.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That title I, subchapter III, section 327, subsection (h), of the act of October 14, 1940 (54 Stat. 1151; 8 U. S. C. 727 (h)), be, and the same is hereby, amended to read as follows:

"SEC. 727 (h). The offices in charge of property owned or leased by the Government are authorized, upon the recommendation of the Attorney General, to provide quarters, without payment of rent, in any building occupied by the Service, for a photographic studio, operated by welfare organizations without profit and solely for the benefit of persons seeking to comply with requirements under the immigration and nationality laws. Such studio shall be under the supervision of the Commissioner."

With the following committee amendment:

Page 1, line 7, strike out the word "offices" and insert the word "officers."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### AMENDING SECTION 342 (b) OF THE NATIONALITY ACT OF 1940, WAIVING CERTAIN FEES FOR MEMBERS OF THE ARMED FORCES

The Clerk called the bill (H. R. 391) to amend section 342 (b) of the Nationality Act of 1940.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CLEVENGER. Mr. Speaker, I object.

Mr. Speaker, I know nothing at all about this bill but I do know that in the press of Sunday morning there was a story to the effect that there are some 2,000,000 aliens in this country, temporary visitors among us who, it is said, are amassing immense sums of money on which they escape paying the capital gains tax. I object to this chopping up of the National Immigration Act into seven or eight different acts, until by amendment and cross-amendment, we do not know what the law is.

Mr. Speaker, I object.

#### STATUS OF CERTAIN NATIVES AND INHABITANTS OF THE VIRGIN ISLANDS

The Clerk called the bill (H. R. 712) relating to the status of certain natives and inhabitants of the Virgin Islands.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CLEVENGER. Mr. Speaker, I shall object to this also, and shall object to the rest of these amendments of this act.

The SPEAKER. Objection is heard.

#### DEFINITION OF THE PHRASE "INELIGIBLE TO CITIZENSHIP"

The Clerk called the bill (H. R. 390) to amend section 28 (c) of the Immigration Act of 1924.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CLEVENGER. Mr. Speaker, I object.

#### EXTENSION OF PERIOD OF OPERATIONS UNDER SECTION 409 OF THE INTERSTATE COMMERCE ACT

The Clerk called the bill (H. R. 3038) to amend section 409 of the Interstate Commerce Act, as amended.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 409 of the Interstate Commerce Act, as amended, is amended by striking out the words "36 months" wherever they appear therein and inserting in lieu thereof the words "48 months."

With the following committee amendment:

Page 1, line 6, strike out "48 months" and insert in lieu thereof "45 months."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXEMPTED ISSUES UNDER SECTION 3 (b) OF THE SECURITIES ACT OF 1933

The Clerk called the bill (S. 62) to amend section 3 (b) of the Securities Act

of 1933, as amended, so as to permit exemption of security issues not exceeding \$300,000 from the provisions of such act.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That subsection (b) of section 3 of the Securities Act of 1933, as amended, is amended by striking out "\$100,000" where it appears in such subsection, and inserting in lieu thereof "\$300,000."

Mr. LEA. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on this bill at this point.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEA. Mr. Speaker, the Securities Act of 1933 now permits the Securities and Exchange Commission to exempt security issues of not exceeding \$100,000 from the provisions of the act. This amendment would extend that discretionary exemption to \$300,000. Such exemptions are not made except where the Commission finds that such action can be taken consistently with the public interest and for the protection of investors by reason of the small amount involved or the limited character of the public offering.

The proponents of this legislation have urged its adoption on the ground that the exemption of security issues of these small amounts would reduce the expense and burden of issues by small corporations and thereby aid small business.

The Securities and Exchange Commission, after discussing the two sides of the question involved in this legislation, advised the Interstate and Foreign Commerce Committee as follows:

We have weighed carefully the advantages to be gained by the adoption of the amendments against its disadvantages and have come to the conclusion that balancing all the interests concerned, the proposal merits a trial. We, therefore, favor its adoption.

The committee concurs in this recommendation.

This bill was proposed in the last Congress by the gentleman from West Virginia [Mr. RANDOLPH], who also filed his same bill in this Congress. Our committee expected to act upon the Randolph bill, but on account of the prior passage of S. 62, introduced by Senator VANDENBERG in the Senate, the committee reported the Senate bill instead of the House bill.

The gentleman from West Virginia, always alert and diligent as to his legislative responsibility, earned commendation for his earlier espousal of this legislation.

Mr. RANDOLPH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am grateful for the very gracious reference by the chairman to my connection with this proposal. The passage of this legislation is most important to the bona fide business development of America. It will act as a stimulant to the smaller industrial activity of our Nation, and its approval will be most helpful in the post-war period.

Mr. Speaker, the increase from \$100,000 to \$300,000 in the exemption from the



regulations of the Securities and Exchange Commission will encourage small business in the necessary refinancing following the war. It is vital to America's future stability in industrial progress that we, as the Members of Congress, encourage through proper channels the use of venture capital. Favorable action on this measure can be a contribution to that desired end.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

#### EXTENSION OF COLE PIPE LINE ACT

The Clerk called the bill (H. R. 2600) to amend section 9 of the act entitled "An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce," approved July 30, 1941, as amended.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 9 of the act entitled "An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce," approved July 30, 1941, as amended, is amended by striking out "June 30, 1945" and inserting in lieu thereof "June 30, 1947."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### USE OF POST-OFFICE CLERKS AND CITY LETTER CARRIERS INTERCHANGEABLY

The Clerk called the bill (H. R. 3059) authorizing the Postmaster General to continue to use post-office clerks and city letter carriers interchangeably.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the act approved November 4, 1943 (57 Stat. 586), entitled "An act authorizing the Postmaster General to use post-office clerks and city letter carriers interchangeably" is amended by substituting the date "June 30, 1946" for the date "June 30, 1945" appearing in the second section thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXEMPTING CERTAIN OFFICERS AND EMPLOYEES OF OFFICE OF SCIENTIFIC RESEARCH AND DEVELOPMENT FROM CERTAIN PROVISIONS OF CRIMINAL CODE

The Clerk called the bill (H. R. 1524) to exempt certain officers and employees within the Office of Scientific Research and Development from certain provisions of the Criminal Code.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That nothing contained in sections 109 and 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203) shall be deemed to apply to any person because of any appointment as an officer or employee within the Office of Scientific Research and Development if such person is serving or has served in such capacity with compensation

on a per diem when actually employed basis for not in excess of 90 days a year or without compensation. This act shall not apply to any such officer or employee if he represents or acts on behalf of the United States in connection with the negotiation, making, modification, renewal, or termination of any contract between the Office of Scientific Research and Development and any individual, corporation, partnership, or association from whom such officer or employee receives compensation for services, or in connection with the submission, consideration, or determination of any claim against the United States under any such contract.

With the following committee amendments:

Page 1, line 4, after "203)" insert "or in section 19 (e) of the Contract Settlement Act of 1944 (Public Law 395, 78th Con.)."

Page 2, line 11, after the word "contract" insert "nor shall this act apply to any such officer or employee if he prosecutes, or acts as counsel, attorney, or agent for the purpose of prosecuting, a claim against the United States involving any particular subject matter with which he was directly connected as an officer or employee of the Office of Scientific Research and Development."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXEMPTING CERTAIN MEMBERS OF ECONOMIC STABILIZATION BOARD FROM CERTAIN PROVISIONS OF THE CRIMINAL CODE

The Clerk called the bill (H. R. 2951) to exempt certain members of the Economic Stabilization Board from certain provisions of the criminal code.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SHAFER. Mr. Speaker, reserving the right to object, the House should be given more information in reference to this legislation which exempts certain employees of the Government from the criminal code. It should be explained by members of the committee reporting this bill. Mr. Speaker, I object.

Mr. PRIEST. Mr. Speaker, will the gentleman withdraw his objection and permit me to ask unanimous consent that the bill be passed over without prejudice?

Mr. SHAFER. Mr. Speaker, that is satisfactory to me.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

#### UNITED STATES' PARTICIPATION IN INTER-AMERICAN STATISTICAL INSTITUTE

The Clerk called the bill (H. R. 688) to amend the joint resolution of January 27, 1942, entitled "Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEEFE. Mr. Speaker, reserving the right to object, I would like to have this bill explained.

Mr. LUTHER A. JOHNSON. Mr. Speaker, this is a bill which comes from the Foreign Affairs Committee by unanimous report of the committee and it simply changes in very slight respect the existing law by which we became members of that organization several years ago. May I say to the gentleman that the organization relates to and its membership is restricted to the American Republics and Canada in the Western Hemisphere. It has done a very fine job in gathering and furnishing statistical information. A great many of these countries do not have complete statistics and this organization has been working with these other countries of this hemisphere in securing this information. I may say that the trade between our country and the South American countries is increasing. This organization has done a very fine job, and has demonstrated the necessity for its existence.

One reason it is necessary to amend the existing law is because some of the other agencies of the Government sometimes want the statistical institute to get information for them. I understand, for instance, Mr. Rockefeller's organization wanted some information. It was given to them, or the desire was to give it to them, but under the ruling of the Comptroller General they could not do so. The \$35,000 limitation or ceiling would not permit that even though some other agency of the Government paid the expense.

The \$35,000 is the maximum amount that our Government will pay for our part of the expenses of the institute, and even though other agencies of the Government should be willing to pay for information which the institute would secure for them, it cannot be furnished if the aggregate expenditure for the year exceeds \$35,000. The pending resolution, on line 6, restricts the \$35,000 maximum for adhering membership, as was intended when the act was passed.

Mr. KEEFE. Do I understand that the amendment proposed will permit other agencies of the Government to transfer funds to this organization for the performance of statistical services?

Mr. LUTHER A. JOHNSON. No; I do not think so. There would be no transfer of funds, as I understand it.

Mr. KEEFE. Is there any ceiling upon the expenditures that this organization could make upon request for other agencies of the United States Government?

Mr. LUTHER A. JOHNSON. I do not think that would be much. It is just an occasional request of this kind.

Mr. JONES. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Ohio.

Mr. JONES. Is this in connection with the expenditure of the cultural relations program of South America?

Mr. LUTHER A. JOHNSON. No. These are statistics with reference to trade, commerce, and vital statistics, I will say to the gentleman from Ohio.

Mr. JONES. Mr. Speaker, if the gentleman will yield further, is this in connection with the investigation to see what students, and so forth, will come up from South America?

Mr. LUTHER A. JOHNSON. No; this is commercial data largely and statistics of that kind, as I understand it. Business firms call upon the institute for statistics upon various matters relating to trade, and the information furnished is valuable in promoting commerce.

Mr. JONES. In connection with the State, Justice, and Commerce appropriation bill, I made several points of order to language used in the bill. That language was not contested. I would like to have an opportunity to debate this measure if it has to do with the appropriations that we passed and authorized in express language throughout the State Department bill. I would like an opportunity to examine the bill.

Mr. LUTHER A. JOHNSON. This is really not in the State Department. We have as our representative one from the Bureau of the Budget.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JONES. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### MEXICAN BORDER SERVICE MEDAL

The Clerk called the bill (H. R. 2322) to provide for the issuance of the Mexican Border Service Medal to certain members of the Reserve forces of the Army on active duty in 1916 and 1917.

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.,* That the Secretary of War is authorized and directed to issue the Mexican Border Service Medal to any officer of the Medical Reserve Corps or to any other member of a reserve component of the Army not eligible under existing law to receive such medal or the Mexican Service Medal heretofore authorized by the President who (1) served on the Mexican border at any time during the period from January 1, 1916, to April 6, 1917, or (2) was called to active duty during such period on account of the existing emergency and served in the field but rendered service elsewhere than on the Mexican border: *Provided,* That such medal shall not be issued to any person who has, subsequent to such service, been dishonorably discharged from the service or deserted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### KERMIT ROOSEVELT FUND

The Clerk called the joint resolution (H. J. Res. 136) to provide for the establishment, management, and perpetuation of the Kermit Roosevelt fund.

There being no objection, the Clerk read the joint resolution as follows:

*Resolved, etc.,* That there is hereby established in the War Department a board to be known as the Trustees of the Kermit Roosevelt Fund, whose duty it shall be properly to administer all money and property which hereafter may come under its control as part of the Kermit Roosevelt fund, created pursuant to section 2 hereof. The board shall be

composed of the Chief of Finance, United States Army, ex officio, and three general officers of the Army who shall be appointed to the board and may be replaced thereon by the Secretary of War.

Sec. 2. The board is hereby authorized to accept from Mrs. Kermit Roosevelt such money and property as she may tender, to receipt therefor on behalf of the United States, and to deposit the funds so received in the Treasury of the United States as the original corpus of a trust fund, to be known as the Kermit Roosevelt fund, which shall be used for the purpose of fostering a better understanding and a closer relationship between the military forces of the United States and those of the United Kingdom by sponsoring lectures or courses of instruction to be delivered by officers of the British Army at the United States Military Academy and elsewhere in the United States and by officers of the United States Army at Sandhurst Royal Military College and elsewhere in the United Kingdom or, should such exchange lectures prove or become impracticable or unnecessary for any reason, by such other application of the funds as the board, with the approval of the Secretary of War, may determine. The original corpus of the fund and the income therefrom may be disbursed at the discretion of the board in furtherance of the stated purpose, and shall be subject to investment and reinvestment as provided in section 3 hereof.

Sec. 3. The board is also authorized to accept, receive, hold, and administer gifts, bequests and devises of money, securities, or other property, whether real or personal, from any source, for the benefit of the Kermit Roosevelt fund, but no such gift, bequest, or devise which entails any expenditure not to be met out of the gift, bequest, devise, or the income thereof shall be accepted without the consent of Congress. Such additional sums or property shall be receipted for by the Chief of Finance and may, at the discretion of the board and unless otherwise restricted by the terms of the gift, bequest, or devise, be administered and disbursed in the same manner as the original corpus of the fund and the income therefrom. The board may in its discretion sell or exchange securities or other property given, bequeathed, or devised to or for the benefit of the Kermit Roosevelt fund, and may invest and reinvest the proceeds thereof, together with any other moneys in the fund, in such investments as it may determine from time to time: *Provided, however,* That the board is not authorized to engage in any business, nor shall it make any investments for the account of the fund which could not lawfully be made by a trust company in the District of Columbia, except that it may make any investment directly authorized by the instrument of gift, bequest, or devise under which the funds to be invested are derived, and may retain any investments accepted by it.

Sec. 4. The income from any property held or administered by the board, as and when collected, shall be deposited in the Treasury of the United States to the credit of the trust fund established pursuant to section 2 hereof, and it shall be and remain subject to investment, reinvestment, and disbursement by the board for the uses and purposes set forth herein.

Sec. 5. The board shall have all the usual powers of a trustee in respect to all property administered by it, but the members of the board shall not be personally liable, except for misfeasance, on account of any acts performed in their trust capacity. The members of the board shall not be required to furnish bond, and no additional compensation shall accrue to any of them on account of their duties as trustees. Within the limits prescribed by sections 2, 3, and 4 hereof, the administration, control, and expenditure

of this fund and its application to the purposes intended shall be according to the sole discretion of the board, and the exercise of its discretion and authority in regard thereto and its decisions thereon, including any payments made or authorized by it to be made from the Kermit Roosevelt fund, shall not be subject to review except by the Secretary of War, to whom the board shall, on the 1st day of January, each year, render a full report of its activities during the preceding twelve months. The action of the board shall not be subject to judicial review except in an action brought in the United States District Court for the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by the board.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PRIEST. Mr. Speaker, that concludes the reading of the eligible bills on the Consent Calendar today.

Mr. COLE of New York. Mr. Speaker, may I call the attention of the gentleman from Tennessee to the next bill on the Consent Calendar which, as the gentleman has stated, has not been on the calendar long enough to be called up at this date. But because of the peculiar significance of this particular day and the type of bill it is, I ask if he would not withhold his remarks and let this bill be called up? For the information of the House, this is a measure to authorize the award of some suitable medal or mark of distinction to the members of the draft boards, who have served voluntarily, at the sacrifice of their own interests, and have devoted their time to the selection of our Army back through the years. Today is the first day of victory to crown their efforts, and I think it is especially appropriate that the bill be passed today.

Mr. PRIEST. May I say to the gentleman from New York that I certainly have no objection to considering the bill at this time. I was simply carrying out my responsibility to notify the House that the remaining bills on the calendar are not eligible for consideration under the rule. If the bill may be considered by unanimous consent, it certainly has my endorsement. I agree with the sentiments expressed by the gentleman from New York.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that Consent Calendar No. 102, the bill H. R. 1312, be called today, irrespective of the fact that it has not been on the Consent Calendar long enough to be eligible for consideration under the rule.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, will that citation, or whatever it is, go to those boards which have been drafting men in violation of the Tydings amendment?

Mr. COLE of New York. It will go to any member of the Selective Service System who has served faithfully for 2 years or more.

Mr. HOFFMAN. Well, if you want to reward them, it is all right with me.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Kentucky.



Mr. MAY. I should like to suggest to the gentleman from New York that he make his request apply to the remainder of the bills on the Consent Calendar today. These three bills were placed on the Calendar too late to be considered today under the rule, but the passage of each of them is almost imperative. In the case of two of the bills, the acts which they extend will expire on the fifteenth of this month. The other bill relates to the reshuffling of officers on the European front.

Mr. COLE of New York. I think the gentleman is entirely right. These bills should be passed today.

Mr. Speaker, I ask unanimous consent that Consent Calendar Nos. 102, 103, 104, and 105, the bills H. R. 1812, H. R. 2992, H. R. 3070, and S. 701, respectively, be considered today.

Mr. O'HARA. Reserving the right to object, Mr. Speaker, I should like to have the gentleman from Kentucky explain what these bills do. Some of us do not know anything about them.

Mr. MAY. I shall be glad to do that as the bills are called.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The Clerk will call Calendar No. 102.

#### AWARD OF MERIT FOR UNCOMPENSATED PERSONNEL OF THE SELECTIVE SERVICE SYSTEM

The Clerk called the bill (H. R. 1812) to authorize an award of merit for uncompensated personnel of the Selective Service System.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That Congress hereby declares that many members of local boards, boards of appeal, Government appeal agents, local board examining physicians and dentists, members of medical advisory boards, and reemployment committeemen and other uncompensated personnel of the Selective Service System have, in a manner which is an example of patriotism, served the United States in the administration of the Selective Training and Service Act of 1940, as amended. This service has been voluntary and uncompensated and in many cases has resulted in great sacrifices on the part of these citizens.

The Congress further declares that in accordance with the historic policy of the United States to recognize and publicly acknowledge the gratitude of the people and Government of the United States for patriotic service, that uncompensated personnel of the Selective Service System who have given faithful service should be awarded a certificate and medal in recognition of their patriotic service.

SEC. 2. There may be awarded in the name of the Congress of the United States to such uncompensated personnel of the Selective Service System who have faithfully served more than 1 year and such others who have served faithfully as may be selected by the Director of Selective Service a certificate and a medal for faithful service in the administration of the Selective Training and Service Act of 1940, as amended.

SEC. 3. The medal authorized by this act shall be known as the Selective Service Medal and shall be in such form and of such design and material as shall be prescribed by the Director of Selective Service.

SEC. 4. The appropriations for the Selective Service System shall be available for the pay-

ment of all expenses incident to the creation and awarding of the certificates and medals authorized by this act.

With the following committee amendment:

Page 2, line 13, strike out "one year" and insert "two years."

Mr. KNUTSON. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, why should not this measure be amended so as to take care of the members of the draft boards who rendered equally good service in the First World War? In the Sixty-sixth and Sixty-seventh Congresses I introduced a measure to recognize the fine services that were rendered by the draft boards of World War No. 1. Certainly they rendered valuable service to the public. I should like to see an amendment offered to take care of them, even at this late day. Many of those men are still alive. This would be a tardy recognition but an entirely proper and fitting one, and I hope the bill can be amended in such a manner as to provide that the members of the draft boards in both wars be equally recognized.

Mr. ANDREWS of New York. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. ANDREWS of New York. There are very few members of the draft boards of the last war left. Furthermore, the draft situation was different. It did not last for 2 years.

Mr. KNUTSON. I know it did not last for 2 years, and we ought to be thankful that it did not. I do not think we should overlook the services which the draft boards of the First World War rendered. This would be a very appropriate time to give them that recognition to which they are justly entitled.

Mr. ANDREWS of New York. Why does not the gentleman introduce a bill to that effect?

Mr. KNUTSON. Oh, I had a bill of that nature pending for a long time. I had it pending in two or three Congresses; but I never got anywhere with it. I am not going to obstruct the passage of this bill, but I certainly feel we ought to give equal recognition to the draft boards of the First World War.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. JENSEN. I think the gentleman is exactly right. I hope the committee will accept his amendment.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the bill be passed over until I can prepare an amendment.

Mr. ANDREWS of New York. Mr. Speaker, a point of order. The bill is already before the House for consideration.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the bill be passed over without prejudice. He has the right to ask that at any time.

Is there objection to the request of the gentleman from Minnesota?

Mr. COLE of New York. Mr. Speaker, I object.

Mr. KNUTSON. I shall ask the Senate to take care of the omission.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENDING PROVISIONS OF ACT OF JULY 11, 1941

The Clerk called the bill (H. R. 2992) to extend the provisions of the act of July 11, 1941 (Public Law 163, 77th Cong.).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'HARA. Mr. Speaker, reserving the right to object, will the chairman of the Committee on Military Affairs explain the bill?

Mr. MAY. I will be glad to explain the bill, Mr. Speaker. This is a bill which was passed 4 years ago which authorizes the Secretary of War and the Secretary of the Navy to establish quarantine boundaries around camps and cantonments and naval bases for the purpose of cooperation with the State and local authorities prohibiting illicit practices which are calculated to spread loathsome diseases among the armed forces. The Public Health officials who have had the administration of the act appeared before our committee and requested an extension of it. The bill as reported extends the act for a period of 1 year until May 15, 1946, or until such earlier time as Congress may, by concurrent resolution, designate.

Mr. O'HARA. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That Public Law 163, Seventy-seventh Congress (518a, ch. 13, title 18 of the Criminal Code), is hereby amended by deleting "May 15, 1945" and inserting in lieu thereof the following: "May 15, 1946, or the date of the termination of hostilities in the present war, or on such earlier date as may be specified in a concurrent resolution of the two Houses of Congress for that purpose. As used in this section the term 'date of the termination of hostilities in the present war' means the date proclaimed by the President as the date of such termination or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENDING PROVISIONS OF ACT OF NOVEMBER 29, 1940

The Clerk called the bill (H. R. 3070) to extend the provisions of the act of November 29, 1940 (Public Law 834, 76th Cong.).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'HARA. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. MAY. Mr. Speaker, this act relates to the examination of medical officers in the Army Medical Corps, with

reference to veterinarians and dentists. Under the law as it exists the Secretary of War is required to give an examination before he can promote them; or on discharge. This merely requires him to give the examination relating to their physical condition, not as to their qualifications, because that has already been passed upon.

Mr. O'HARA. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

*Be it enacted, etc.,* That for the duration of the wars in which the United States is presently engaged and for 6 months thereafter, the Secretary of War may, in his discretion, dispense with any part of the examination for promotion in the Regular Army of officers of the Medical, Dental, and Veterinary Corps, except those relating to physical examination.

SEC. 2. This act shall become effective as of May 15, 1945.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### WARTIME REDUCTION OF TEMPORARY GRADES HELD BY GENERAL OFFICERS OF THE ARMY OF THE UNITED STATES

The Clerk called the bill (S. 701) to provide a method for the wartime reduction of temporary grades held by general officers of the Army of the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'HARA. Mr. Speaker, reserving the right to object, would the gentleman from Kentucky explain the bill?

Mr. MAY. Mr. Speaker, under the law as it now exists, when the movement of our armies from Europe is under way, the Chief of Staff does not have authority to adjust the rank or the grade of officers above that of major general. Everyone now knows that we have reached a stage of this war when we will soon be transferring large units from Europe to the Pacific and that situation makes this legislation necessary now. The purpose of this bill is to enable the Army to adjust the rank and grades of officers from major general up. It simply means that when an officer holding the rank of lieutenant general, for instance, or even general of the armies, is transferred from the European theater of operations, it is the idea of the Chief of Staff that it would be embarrassing to that officer to go to the Pacific area and after he gets there be reduced in rank. The purpose is to reduce the rank, if it should be reduced, down to major general before he leaves his field of operations and after his duties are performed there, in order to prevent embarrassment to the officer, and let him go into the new field of operations with the rank that has already been accorded him.

Mr. O'HARA. This is not any attempt to make permanent the rank of these temporary generals?

Mr. MAY. Oh, no.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That, during the continuance of any of the wars in which the United States is now engaged and for 6 months thereafter, the President, without the advice and consent of the Senate, is authorized to appoint any member of the Army of the United States who, since August 27, 1940, has been appointed, by and with the advice and consent of the Senate, to the temporary grade of major general in the Army of the United States or to any higher grade, and whose appointment to such grade has been terminated, to any temporary general officer grade in the Army of the United States which is lower than the grade held under the appointment terminated.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Mr. Archibald B. Thatcher, published in the Washington News Digest, on the subject of universal training.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a short statement by Mr. Owen D. Young, published in the bulletin of the International Office for Education.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### PRIVATE CALENDAR

The SPEAKER. This is the day set to call individual bills on the Private Calendar. The Clerk will report the first bill on the calendar.

#### COLD SPRING, MINN.

The Clerk called the first bill on the calendar (H. R. 2008) for the relief of the village of Cold Spring, Minn.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the village of Cold Spring, Minn., the sum of \$3,637.27. The payment of such sum shall be in reimbursement for the payment by the said village of Cold Spring, Minn., of the costs of an action brought by Michael Schmit against it and the judgment rendered against it therein on April 10, 1944, for personal injuries sustained by Francis Schmit, son of the said Michael Schmit, who was burned by a flare used by employees of the Work Projects Administration on a water-main project in said village of Cold Spring, Minn.

With the following committee amendments:

Page 1, line 7, insert "full settlement of all claims against the United States as."

Page 2, line 5, after the word "Minnesota", insert "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of

this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MORGAN CREAMERY CO.

The Clerk called the bill (H. R. 952), for the relief of the Morgan Creamery Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$920.64, to the Morgan Creamery Co., of Fargo, N. Dak., in full settlement of all claims against the United States as part of the excess cost alleged to have been incurred by the United States by reason of the failure of the Morgan Creamery Co. to perform under contract No. VA37r-935, entered into on June 25, 1942, with the United States Veterans' Administration to deliver fresh milk, cream, buttermilk, and cottage cheese to the Veterans' Administration facilities, Fargo, N. Dak., during the fiscal year ended June 30, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### HARDY H. BRYANT

The Clerk called the bill (H. R. 2005) for the relief of Hardy H. Bryant.

Mr. DOLLIVER and Mr. SPRINGER objected, and the bill, under the rule, was recommitted to the Committee on Claims.

#### DR. ALMA RICHARDS AND MRS. MARY BLOCK

The Clerk called the bill (H. R. 1710) for the relief of Dr. Alma Richards and Mrs. Mary Block.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. Alma Richards, Memphis, Tenn., the sum of \$10,000, and to Mrs. Mary Block, Memphis, Tenn., the sum of \$1,000. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries sustained on December 6, 1940, by the said Dr. Alma Richards and Mrs. Mary Block when the automobile in which they were riding was in collision in Memphis, Tenn., with a truck in the service of the Work Projects Administration.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000" and insert "\$7,140."

Page 2, line 3, after the word "Administration", insert "Provided, That no part of



the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any persons violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DANIEL D. O'CONNELL AND ALMON B. STEWART

The Clerk called the bill (H. R. 1303) for the relief of Daniel D. O'Connell and Almon B. Stewart.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Daniel D. O'Connell and Almon B. Stewart, both of Bangor, Maine, the sums of \$544.16 and \$,1732.22, respectively, in full satisfaction of all claims against the United States for damages sustained by them by the failure of George E. Glunt, of Altoona, Pa., to pay said Daniel D. O'Connell and Almon B. Stewart for labor and materials furnished as subcontractors under said George E. Glunt, who held a contract with the Civil Aeronautics Administration for the construction of an airways communication station building at the Bangor (Maine) Airport: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIA MANRIQUEZ RUIZ

The Clerk called the bill (S. 70) for the relief of Maria Manriquez Ruiz.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maria Manriquez Ruiz, of Phoenix, Ariz., the sum of \$3,000, in full satisfaction of her claim against the United States for compensation for injuries sustained by her when a United States Army airplane crashed into her home in Phoenix, Ariz., on April 22, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and

passed, and a motion to reconsider was laid on the table.

ESTELLA RUIZ

The Clerk called the bill (S. 71) for the relief of the legal guardian of Estella Ruiz.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Estella Ruiz, a minor, of Phoenix, Ariz., the sum of \$1,350, in full satisfaction of all claims against the United States for compensation for the personal injuries sustained by the said Estella Ruiz, and medical expenses incurred for her treatment, as the result of an accident involving an Army airplane which occurred in Phoenix, Ariz., on April 22, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

P. W. VAN DOREN AND E. J. COATES

The Clerk called the bill (S. 407) for the relief of Pierce William Van Doren and Elmer J. Coates.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pierce William Van Doren the sum of \$3,500, and to Elmer J. Coates the sum of \$3,500, in full satisfaction of their respective claims against the United States for compensation for loss of time, pain, and suffering, and permanent injuries sustained by them as the result of an accident which occurred when the automobile in which they were riding was struck by a United States Army vehicle in San Fernando, Calif., on March 24, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES A. STRAKA

The Clerk called the bill (S. 519) for the relief of the estate of Charles A. Straka.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

REIMBURSEMENT OF CERTAIN MARINE CORPS PERSONNEL FOR FIRE LOSS

The Clerk called the bill (S. 569) to reimburse certain Marine Corps personnel and former Marine Corps personnel for personal property lost or damaged as the result of a fire in the training building at the Marine Corps air station, Cherry Point, N. C., on June 3, 1944.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,451.65, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Marine Corps personnel and former Marine Corps personnel for the value of personnel property lost or damaged as the result of a fire in the training building at the Marine Corps air station, Cherry Point, N. C., on June 3, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof, shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCES BIEWER

The Clerk called the bill (H. R. 856) for the relief of Frances Biewer.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frances Biewer, the sum of \$206, as compensation for and in full settlement of all claims for damages against the United States for injuries sustained by her and expenses incident thereto, as a result of her being struck and injured by a Government vehicle which was driven by an employee of the Navy Department: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of any services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Line 5, after the name "Biewer" insert the words "of Chicago, Ill."

Line 6, strike out the words "as compensation for and."

Line 7, before the word "injuries" insert the word "personal."

Line 7, also, strike out the words "for damages."

Line 10, after the word "Department" insert the words "on September 6, 1944, in Chicago, Ill."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### VERNE V. GUNSOLLEY

The Clerk called the bill (H. R. 931) for the relief of Verne V. Gunsolley.

Mr. SPRINGER and Mr. DOLLIVER objected and, under the rule, the bill was recommitted to the Committee on Claims.

#### MRS. MARY KARALIS AND NICHOLAS KAVALARIS

The Clerk called the bill (H. R. 1054) for the relief of Mrs. Mary Karalis and Nicholas Kavalarris.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Mary Karalis, Minneapolis, Minn., the sum of \$540, and to Nicholas Kavalarris, Albion, Mich., the sum of \$52.50. The payment of such sums shall be in full settlement of all claims against the United States of the said Mrs. Mary Karalis for personal injuries, and of the said Nicholas Kavalarris for damage to personal property, sustained on May 2, 1940, when the automobile in which they were riding was struck on United States Route No. 12, near Baraboo, Wis., by a United States Army truck.

With the following committee amendment:

Line 6, after the words "the sum of," strike out the remainder of the bill and insert in lieu thereof the following "240 in full settlement of all claims against the United States for personal injuries, medical, and hospital expenses, sustained as the result of a collision between the automobile in which she was a passenger, and a United States Army truck on United States Route No. 12, near Baraboo, Wis., on May 2, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill for the relief of Mrs. Mary Karalis."

A motion to reconsider was laid on the table.

#### MRS. ZELMA INEZ CHEEK

The Clerk called the bill (H. R. 1671) for the relief of Mrs. Zelma Inez Cheek.

Mr. LEWIS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### RELIEF OF CERTAIN NAVAL PERSONNEL FOR LOSSES AT TRINIDAD, BRITISH WEST INDIES, JUNE 11, 1944

The Clerk called the bill (H. R. 2685) to reimburse certain naval personnel and former naval personnel for personal property lost or damaged as a result of a fire in the bachelor officers' quarters known as Macqueripe Annex, located at the United States naval operating base, Trinidad, British West Indies, on June 11, 1944.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$3,643.56, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain naval personnel and former naval personnel for the value of personal property lost or damaged as the result of a fire in the bachelor officers' quarters known as Macqueripe Annex, located at the United States naval operating base, Trinidad, British West Indies, on June 11, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### THE TOBEY HOSPITAL

The Clerk called the bill (H. R. 2721) for the relief of the Tobey Hospital.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Tobey Hospital, Wareham, Mass., the sum of \$427.25. The payment of such sum shall be in full settlement of all claims of the said Tobey Hospital against the United States for services rendered, and supplies furnished to members of the United States Army stationed at Camp Edwards, Mass., who were injured in two automobile accidents, the first of which occurred on April 25, 1941, and the second on December 7, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DR. J. D. WHITESIDE AND ST. LUKE'S HOSPITAL

The Clerk called the bill (H. R. 2930) for the relief of Dr. J. D. Whiteside and St. Luke's Hospital.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LEWIS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### WILLIAM EDWARD OATES

The Clerk called the bill (S. 78) for the relief of the estate of William Edward Oates.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$6,453 to the estate of William Edward Oates, in full satisfaction of all claims against the United States for compensation for the death of the said William Edward Oates, late of Birmingham, Ala., who was killed when the motorcycle which he was riding was struck by a United States Army truck on United States Highway No. 31 near Montgomery, Ala., on December 2, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. SPRINGER. Mr. Speaker, I offer an amendment.

The Clerk read the amendment as follows:

Amendment offered by Mr. SPRINGER: Page 1, line 5, strike out "\$6,453" and insert in lieu thereof "\$5,453."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MARY MARTHA WITHERS

The Clerk called the bill (S. 174) for the relief of Mary Martha Withers, as trustee; Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased; and Mary Martha Withers, individually.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Mary Martha Withers, as trustee for herself and Myrtle Withers Figgatt and Lochie Withers Giddings under an indenture executed by Beatrice Withers bearing the date of July 14, 1942, the sum of \$4,425, in full satisfaction of the claim of such trustee against the United States for compensation for the loss of a building at No. 322 North Claybrook Street, Memphis, Tenn., which was destroyed by fire when a United States Army airplane crashed into such building on April 29, 1944, (2) to Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased, the



sum of \$3,791.93 in full satisfaction of the claim of such estate for compensation for the loss of personal property belonging to the said Beatrice Withers, which was destroyed in such fire; and the sum of \$5,000 in full satisfaction of all claim arising out of the death of the said Beatrice Withers as a result of such fire; and (3) to Mary Martha Withers, of Memphis, Tenn., individually, the sum of \$1,734.04, in full satisfaction of her claim against the United States for compensation for the loss of personal property belonging to her, which was destroyed in such fire: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### JUNE I. GRADIJAN

The Clerk called the bill (S. 316) for the relief of June I. Gradijan.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That notwithstanding provisions contained in the Department of Agriculture Appropriation Act, 1943, Public Law No. 674, Seventy-seventh Congress, second session (56 Stat. 664), prohibiting the payment of compensation therefrom to officers or employees who are not citizens of the United States, the Comptroller General of the United States is hereby authorized and directed to allow credit in the settlement of disbursing officers' accounts, and relieve certifying officers of liability for such payment for services rendered by June I. Gradijan, while employed in the Department of Agriculture during the fiscal year 1943, as are otherwise correct and legal.

Sec. 2. June I. Gradijan shall not be required to refund the compensation received for such services; and any amounts which have been collected or paid as a refund of such compensation shall be repaid to the person making the payment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

#### JAMES A. KELLY

The Clerk called the bill (S. 328) for the relief of James A. Kelly.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of James A. Kelly, who is alleged to have sustained an injury on October 8, 1940, while employed as a laborer at the United States Navy Yard, Portsmouth, N. H., and his case is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if he files a notice of such disability and claim for compensation with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act: *Provided*, That any benefits that may be awarded shall not accrue prior to the date of enactment of this act.

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The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MRS. ELLEN McCORMACK

The Clerk called the bill (S. 359) for the relief of Mrs. Ellen McCormack.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ellen McCormack, of Saugus, Mass., the sum of \$549.52, in full satisfaction of her claims against the United States (1) for reimbursement of medical and other expenses incurred because of personal injuries sustained by her, and (2) for compensation for personal property lost or damaged, as a result of an accident which occurred when she was struck by a United States Army vehicle, near the intersection of Broadway and Essex Street, in Saugus, Mass., on May 6, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MAJ. MALCOLM K. BEYER

The Clerk called the bill (S. 467) for the relief of Maj. Malcolm K. Beyer.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maj. Malcolm K. Beyer, the sum of \$1,076, in full settlement of all claims against the Government by him for the loss of clothing and personal effects destroyed by fire at the officers' quarters at Civilian Conservation Corps Camp Breeze Hill, Wawayanda, N. Y., on April 3, 1937.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### JOHN H. GRADWELL

The Clerk called the bill (S. 491) for the relief of John H. Gradwell.

Messrs. SPRINGER and DOLLIVER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

#### CHESLEY BRAZIL

The Clerk called the bill (S. 591) for the relief of Chesley Brazil.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That, notwithstanding provisions contained in the several appropriations acts for the fiscal years 1940, 1941, 1942, and 1943 prohibiting the payment of compensation to officers or employees who are not citizens of the United States, the Comptroller General of the United States is hereby authorized and directed to allow credit in the settlement of disbursing officers' accounts, and relieve certifying officers

of liability for payments for services rendered by, and for annual and sick leave granted to, Chesley Brazil, of Eugene, Oreg., as an employee of the Bonneville Power Administration, where such payments are otherwise correct and legal.

Sec. 2. If credit is allowed in disbursing officers' accounts in accordance with section 1 of this act, said Chesley Brazil shall not be required to refund the amount thereof.

Sec. 3. Notwithstanding any provisions contained in the civil-service laws, rules, or regulations relating to the admission to examination or appointment of aliens, said Chesley Brazil's appointment as an employee of the Bonneville Power Administration is hereby ratified and confirmed and his appointment and period of service shall be treated for all purposes as if he had been at all times a citizen of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### HERMAN GELB

The Clerk called the bill (H. R. 838) for the relief of Herman Gelb.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman Gelb, of New York City, N. Y., the sum of \$10,000 in full settlement of all claims against the United States by said Herman Gelb on account of the injuries sustained by him when the automobile in which he was a passenger was struck by a War Department jeep on October 15, 1943, in Jersey City, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$10,000" and insert in lieu thereof "\$500."

Mr. LEWIS. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. LEWIS to the committee amendment:

Page 1, line 6, strike out "\$500" and insert in lieu thereof "\$200."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### BOROUGH OF PARK RIDGE, N. J.

The Clerk called the bill (H. R. 1562) for the relief of the Borough of Park Ridge, N. J.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated the sum of \$9,469.10 to the Borough of Park Ridge, Park Ridge, N. J., in

full settlement of all claims against the United States for damages sustained by the borough roads as the result of hauling sand from a sand pit located in the interior of the borough in connection with the grading and graveling of roads at Camp Shanks, Orangeburg, N. Y., during the spring of 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$9,469.10" and insert in lieu thereof "\$7,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAEL C. DONATELL

The Clerk called the bill (H. R. 1629) for the relief of Michael C. Donatell.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Michael C. Donatell, Willmar, Minn., the sum of \$15,000. The payment of such sum shall be in full settlement of all claims of the said Michael C. Donatell against the United States on account of permanent impairment of vision caused by an injury to his left eye received on April 30, 1943, at Tintah, Minn., when he was struck by an egg thrown from the kitchen car of a United States Army troop train. At the time of the receipt of such injury, the said Michael C. Donatell was engaged in his employment as fireman for the Great Northern Railway Co.

With the following committee amendments:

Page 1, line 6, strike "\$15,000" and insert "\$4,339.20".

At the end of the bill, insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CANAL DREDGING CO.

The Clerk called the bill (H. R. 1713) for the relief of Canal Dredging Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That there is hereby appropriated out of any moneys in the Treasury the sum of \$63,663.59, covering the unrecovered losses and extra costs sustained by the Canal Dredging Co. in work on Lake

Okeechobee, Fla., by reason of an excess amount of rock encountered on the work, all as indicated by findings of the Court of Claims in Findings and Opinion dated March 1, 1943, and printed as Senate Document No. 36, Seventy-eighth Congress, first session.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Canal Dredging Co., the sum of \$40,000, in full settlement of all claims against the United States as the reasonable price for certain excavating work on Lake Okeechobee, Fla., performed for the Government by the said Canal Dredging Co. and for which it has not been paid, as found by the Court of Claims in its decision of March 1, 1943, and heretofore reported to Congress: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the presentation of this claim to the proper committees of Congress, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DOMENICO STRANGIO

The Clerk called the bill (H. R. 1845) for the relief of Domenico Strangio.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$39.62 to Domenico Strangio, of Sacramento, Calif., in full settlement of all claims against the United States for services rendered as an employee at the Sacramento Post Office during the holiday in December 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STEWART MARTIN, JR.

The Clerk called the bill (H. R. 2003) for the relief of the legal guardian of Stewart Martin, Jr., a minor.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Stewart Martin, Jr., a minor, of Union Township, N. J., the sum of \$3,500, in full settlement of all claims

against the United States for personal injuries sustained by the said Stewart Martin, Jr., in an accident in New Egypt, N. J., on July 3, 1943, involving an Army truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 7, strike out "\$3,500", and insert "\$4,500."

Mr. DOLLIVER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLIVER to the committee amendment: Page 1, line 7, strike out "\$4,500", and insert "\$3,500."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. SADIE L. DANCE AND OTHERS

The Clerk called the bill (H. R. 842) for the relief of Mrs. Sadie L. Dance, Michigan Millers Mutual Fire Insurance Co., and State Farm Fire Insurance Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Sadie L. Dance, of South Boston, Va., the sum of \$582; to Michigan Millers Mutual Fire Insurance Co., of Lansing, Mich., the sum of \$1,363.81; and to State Farm Fire Insurance Co., of Bloomington, Ill., the sum of \$200. The payment of such sums shall be in full settlement of all claims against the United States for real and personal property damages sustained by the said Mrs. Sadie L. Dance on June 18, 1944, when a United States Navy airplane crashed on her property in South Boston, Va. The payment herein authorized to the said Mrs. Sadie L. Dance shall be in full settlement of damages resulting from such crash to her fence, driveway, rose garden, shrubbery, and lawn, and the payments herein authorized to such insurance companies shall be in full settlement of all claims of such companies by reason of their being required, by the terms of policies issued to the said Mrs. Sadie L. Dance, to pay such sums to her upon damage by fire resulting from such airplane crash to real and personal property belonging to her: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.



## STATE OF CALIFORNIA

The Clerk called the bill (H. R. 1465) for the relief of the State of California.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the State of California, the sum of \$12,676.83, in full settlement of all claims against the United States for damages and cost of repairs to the San Francisco-Oakland Bay Bridge across the Bay of San Francisco (which said bridge is owned and operated by the State of California) as a result of being struck by United States Navy SBD-5 airplane, bureau No. 28851, on September 12, 1943: *Provided,* That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## MRS. AUGUSTA MCCALL

The Clerk called the bill (H. R. 1552) for the relief of Mrs. Augusta McCall.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000 to Mrs. Augusta McCall, of San Antonio, Tex., in full settlement of all claims against the United States for personal injuries suffered by her when she was struck by a Government truck in San Antonio, Tex., on July 7, 1941: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$3,000" and insert "\$500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## MRS. ETHEL FARKAS, JULIUS FARKAS AND LEGAL GUARDIAN OF TEREZ FARKAS

The Clerk called the bill (H. R. 1606) for the relief of Ethel Farkas, Julius Farkas, and legal guardian of Terez Farkas.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated to Ethel Farkas, the sum of \$7,200.97; to Julius Farkas, the sum of \$2,500; to the legal guardian of Terez Farkas, the sum of \$1,400, all of 955 Hillside Boulevard, New Hyde Park, Nassau County, N. Y.,

in full settlement of all claims against the United States for personal injuries, hospital and medical expenses, loss of wages, and for the services of Mrs. Ethel Farkas to the household as the result of injuries sustained in a collision between the car in which Mrs. Farkas was riding and a United States Army vehicle at the intersection of Hillside Avenue and Roslyn Road, East Williston, N. Y., on May 19, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,500.97 to Mrs. Ethel Farkas, of New Hyde Park, Nassau County, N. Y., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, incurred as the result of a collision between the car in which she was riding and a United States Army vehicle at the intersection of East Williston Avenue and Roslyn Road, East Williston, N. Y., on May 19, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## ALOYSIUS G. MILLER

The Clerk called the bill (H. R. 1913) for the relief of Aloysius G. Miller.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Aloysius G. Miller, New Orleans, La., the sum of \$175. The payment of such sum shall be in full settlement of all claims of the said Aloysius G. Miller against the United States for property damages sustained on July 14, 1944, when his car, parked on Forshey Street, New Orleans, La., was struck by a United States Army truck.

With the following committee amendment:

At the end of the bill insert the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## ALICE WALKER

The Clerk called the bill (H. R. 2700) for the relief of Alice Walker.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,000, to Alice Walker, of 1224 Lomb Avenue, Birmingham, Ala., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses and loss of wages as a result of being struck by a United States Army truck in Birmingham, Ala., on June 3, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## W. A. SMOOT, INC.

The Clerk called the bill (H. R. 1058) for the relief of W. A. Smoot, Inc.

Mr. LEWIS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. PRIEST. Mr. Speaker, that concludes the call of the Private Calendar.

## EXTENSION OF REMARKS

Mr. COCHRAN (at the request of Mr. LUTHER A. JOHNSON) was given permission to extend his remarks in the RECORD.

## APPREHENSION AND PUNISHMENT OF WAR CRIMINALS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I move to suspend the rules and pass the concurrent resolution (H. Con. Res. 39) to declare a governmental policy in relation to the apprehension and punishment of war criminals, as amended.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring),* That it is the sense of the Congress that it should be the policy of the Government and its agencies and representatives—

(a) To cooperate with the nations allied with the United States in the present war in the determination of those persons, irrespective of rank, who shall be brought to trial, or summarily punished, as war criminals, for the perpetration of, or the participation in, acts of atrocity, or treachery, oppression, or pillage by political, military, or economic means.

(b) To determine no one exempt from trial or punishment by virtue of his status as head of any state, or as an official of any state, or as an industrialist or civilian, or by virtue of the fact that the acts involved were the acts of state or were performed under the compulsion of superior orders.

(c) To join with other nations in the use of all available means, in addition to treaties

of extradition, to secure the person or property of those persons determined to be war criminals who have already fled, or who may hereafter flee, to any neutral nation, or any other nation, that may harbor them or afford them a place of asylum.

The SPEAKER. Is a second demanded?

Mrs. ROGERS of Massachusetts. I demand a second, Mr. Speaker.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Speaker, House Concurrent Resolution No. 39, now under consideration, merely expresses the sense of the Congress, without having the dignity nor the force of a statute. A resolution of this character does not require the signature of the President in order to make it effective. It is advisory only, and is of value, for its suggestion of a policy to be adopted by the Government in the matter of apprehension and punishment of war criminals.

In my opinion there is but little necessity of argument to influence the Members of the House to stamp with their approval this view of the action that should be taken against war criminals. It is not necessary for all the crimes committed by the Axis Powers to be paraded before you today. During the past several years the leaders of the enemy nations have written into history chapters so terrible and so heart-breaking the untold future years will be required to erase them from those pages or blot them from the memories of people living today and of generations yet to be born.

We are now emerging from a long, long period of aggression and of peril. The conflict in which the free nations of the world have been battling on land and sea and in the air is nearing a victorious conclusion. Already the men responsible for inciting the most terrible war in the history of humanity, the men who have been guilty of the most horrible atrocities in the history of the world, are fleeing from the wrath to come. These are the men who will be praying for the hills to fall upon them and hide them from the just wrath of an outraged people. That they will try to escape their punishment is a foregone conclusion. That they do not escape is a duty we must not neglect. Already our Government has notified the neutral nations of the world that they must not give asylum or refuge to these criminals, for too well do we remember our neglect of our duty at the close of World War No. 1.

We recall how those who were responsible for that war and for the death of the millions of men, women, and children who were victims of the arch criminals of that time were forgiven and forgotten. We recall how many of them were permitted to retire to private life, carrying with them their ill-gotten gains, and allowed to live unpunished and in

happiness and content. This must not happen again.

The resolution before you gives expression to the sense of this Congress that the arch criminals of this war shall not be permitted to escape the consequences of their crimes and that they shall be either brought to trial or summarily punished for the perpetration of their unspeakable acts of atrocity and deeds of treachery, oppression, and pillage. This resolution is also a stern warning to every nation in the world that this Government of ours will not brook interference with our determination to see that this punishment is inflicted.

In all this land of ours there will not be a single voice raised to protest this resolution. Its adoption will be heralded and approved by all classes and conditions of men and women. Every father and every mother who have a son or a daughter in uniform will hail it as just and right, and from every home darkened because of the sacrifice of a loved one will come a heartfelt approval. Let us today send this warning winging across the seas to the quaking criminals who are now vainly seeking a place of refuge, and thus say to them that the world is not large enough to hide them from the wrath to come.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, I am heartily in favor of the passage of House Concurrent Resolution 39, introduced by the gentleman from California [Mr. KING] for the apprehension and punishment of war criminals. He deserves credit for having introduced it.

Mr. Speaker, this resolution was reported unanimously out of the Committee on Foreign Affairs with a protective amendment. Everybody in the United States, I believe, will agree in the provisions of this resolution. The resolution provides that it is the sense of Congress that it should be the policy of the Government to cooperate with our allies in the determination of any German official, no matter how high his rank, or any civilian or anyone at all in Germany who has taken part in the perpetration of the barbaric treatment of prisoners of war, both the military and civilian, as war criminals. Also it serves notice to any neutral countries where war criminals may try to seek refuge that the United States will use all available means to secure their persons. The Army and the Navy will take care of the military punishment of these savage Nazis. Mr. Speaker, I will read the amendment which was introduced by the gentleman from South Dakota [Mr. MUNDT].

One page 2, line 6, the bill reads, "to join with other nations in the use of" and then the word "such" is stricken out and the words "all available" are added in its place. Then the words "as may be necessary without regard to, irrespective of the limitation of any" are stricken out and the words "in addition to" are inserted, so that the bill would read, "to join with other nations in the use of all available means in addition to treaties of extradition to secure the person or property of those persons determined to

be war criminals who have already fled, or who may hereafter flee, to any neutral nation, or any other nation, that may harbor them or afford them a place of asylum."

It was necessary to have this amendment in the bill, Mr. Speaker, because surely we, of all nations in the world, who have always lived up to our treaty agreements, would not be willing to state in any resolution that was passed that we would scrap those treaties or have our word considered merely a scrap of paper. The gentleman from Michigan [Mr. JONKMAN] also suggested a perfecting amendment to the resolution.

Mr. Speaker, the entire country, and I believe the world, wants the Nazis punished, but I am absolutely sure that all respectable, liberty-loving people would not like to have the United States descend to the worse-than-beasts level of the Nazis. Their behavior has been even worse than that of beasts. For beasts do not torture their prey as the Nazis have tortured both military and political prisoners.

Mr. Speaker, the speedy enactment of this resolution will serve as a warning to all nations who are harboring Nazi prisoners of war that we intend to do everything within our power legally to see that those Nazis are brought to justice.

I believe there will not be a vote against this resolution.

Mr. COLE of New York. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. COLE of New York. What is the significance of paragraph (c), which declares it to be the policy of the Government to apprehend these criminals, irrespective of any treaty obligation which our country may have previously agreed upon?

Mrs. ROGERS of Massachusetts. I will say to the gentleman that the Committee on Foreign Affairs held a special hearing about that very paragraph, and an amendment which was suggested by the gentleman from South Dakota [Mr. MUNDT] was adopted, and which reads as follows:

To join with other nations in the use of such means as may be necessary, without regard to any treaties of extradition, to secure the person or property of those persons—

The words "irrespective of the limitations of" were stricken out and the amendment of the gentleman from South Dakota was inserted in lieu thereof. We considered the bill should be amended in that respect and that is one reason why we did not want it brought up a week ago.

Mr. COLE of New York. I thought it was strange that our Government should be so particular about preserving our international obligations such as the treatment that we gave to German prisoners in this country, and at the same time be ready to abandon our treaty obligations when it came to apprehending criminals responsible.

Mrs. ROGERS of Massachusetts. The gentleman is absolutely correct. We were very particular at Mexico City in the act at Chapultepec, and in every res-



olution we passed there, to see that all treaty obligations should be lived up to. I think this will be satisfactory to everyone.

The State Department saw no objection to the bill as it was originally drawn. And I read the letter. Although signed by the Secretary of State, it was probably written by the Assistant Secretary of State, Mr. Dean Acheson, who handled the bill for the State Department and who testified before our committee in its favor. But, as I stated, the committee decided that section (c) was not satisfactory.

DEPARTMENT OF STATE,  
Washington, April 13, 1945.

The Honorable CECIL R. KING,  
House of Representatives.

MY DEAR MR. KING: I have received your letter of April 2, 1945, in which you asked for my comments on House Concurrent Resolution 29, expressing the sense of the Congress with reference to the policy of the Government and its agencies and representatives with respect to the treatment of war criminals.

The principles contained in this resolution are in accord with those which this Department has heretofore announced in respect of this matter. Such a resolution would serve, in my opinion, to harmonize the views and policies of the legislative and executive branches of our Government on this important subject, which is much to be desired.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this report.

Sincerely yours,

EDWARD R. STETTINIUS, JR.

Mr. McCORMACK. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. McCORMACK. And "available means" means all effective means, as I understand it?

Mrs. ROGERS of Massachusetts. Everything possible, so long as we do not violate our treaties.

Mr. McCORMACK. The amendment strengthens the resolution as originally reported from the committee.

Mrs. ROGERS of Massachusetts. Yes; it keeps it within the law.

Mr. McCORMACK. But it means all effective means?

Mrs. ROGERS of Massachusetts. That is correct.

Mr. McCORMACK. That does not mean that we are going to allow the war criminals to escape through any international subterfuge, does it?

Mrs. ROGERS of Massachusetts. No. We are going to follow it right through.

Mr. McCORMACK. Follow it right through to see that they are prosecuted and punished?

Mrs. ROGERS of Massachusetts. Yes. That is what everybody wants. Of course, we do not want to torture these criminals. But certainly war criminals from the highest to the lowest must be punished. In the United States if a man commits murder he is hanged. The Nazis have murdered many political prisoners. The torture they have inflicted was worse than murder.

Mr. McCORMACK. Oh, nobody is talking about torture.

Mrs. ROGERS of Massachusetts. No. But there are some today who would

mete out exactly the same kind of cruelty to the Nazis that they have inflicted.

Mr. McCORMACK. There is a policy called "righteous anger and vindictive justice," that is consistent with the moral law.

Mrs. ROGERS of Massachusetts. Many persons would like to do to the Nazis exactly what they did to American prisoners of war and to prisoners of other nationalities.

Mr. McCORMACK. Certainly we are not going to be any "softies" in our treatment of them.

Mrs. ROGERS of Massachusetts. It is going to be very harsh treatment. It is incredible that anyone should treat them softly. This measure serves warning that they will not be treated softly.

Mr. McCORMACK. That is good; and this amendment by the committee does not mean any weakening, as I understand it.

Mrs. ROGERS of Massachusetts. Everything we can do we are going to do and we pledge ourselves to do.

Mr. McCORMACK. In other words, this resolution is not to be considered as a limitation or a little "softie" consideration.

Mrs. ROGERS of Massachusetts. No; it is hard.

Mr. McCORMACK. I am very glad. That is why I asked the gentlewoman; I wanted it understood that this was not a limitation.

Mrs. ROGERS of Massachusetts. We are going to see that justice is done. They are going to be brought to court, tried, and convicted. They will not go unpunished.

Mr. CELLER. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I shall be very happy to yield to the gentleman from New York, who was the first one to introduce a resolution on this subject.

Mr. CELLER. I may say that the gentlewoman understands this matter and has always expressed great interest in the subject in general, but we have had a Crimean declaration of policy. The Crimean declaration is nothing more nor less than a restatement of this principle. The difficulty seems to stem from the fact that we have had no action to implement the policy. In other words, it is all right for us to say in such words as are embodied in this resolution that these criminals should be punished, but what follows?

Mrs. ROGERS of Massachusetts. I firmly believe that a stronger resolution will follow later.

Mr. CELLER. I hope the gentlewoman is right.

Mrs. ROGERS of Massachusetts. I am sure something more definite will be done later after they have considered what the punishment should be.

Mr. CELLER. In the last war the same thing happened, but no action was taken to implement the words.

Mrs. ROGERS of Massachusetts. Mr. Speaker, if the gentleman from Texas wishes to yield time he may.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. KING].

Mr. KING. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an editorial from the Boston Sunday Post.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KING. Mr. Speaker, the resolution which I have introduced places the Congress of the United States fully and squarely behind the announced policy of all the United Nations that all war criminals shall be sought out and inexorably punished.

In a statement released in Moscow on November 1, 1943, President Roosevelt, Prime Minister Churchill, and Premier Stalin, speaking in the interests of the United Nations, gave full and solemn warning that the German officers and men who had been responsible for or taken part in the horrible and cold-blooded atrocities which have shocked the civilized world, would be sent back to the countries where their abominable deeds were done, there to be judged and punished, this "without prejudice to the case of the major criminals, whose offenses have no particular geographical localization and who will be punished by joint decision of the governments of the allies." They said:

Let those who have hitherto not imbrued their hands with innocent blood beware lest they join the ranks of the guilty, for most assuredly the Three Allied Powers will pursue them to the uttermost ends of the earth and will deliver them to their accusers in order that justice may be done.

Previously in a declaration signed at St. James Palace in London on January 13, 1942, representatives of the Governments of Belgium, Czechoslovakia, Greece, Luxembourg, the Netherlands, Norway, Poland, Yugoslavia, and the Free French National Committee had signed a declaration which placed "among their principal war aims the punishment, through the channel of organized justice, of those guilty of or responsible for these crimes, whether they have ordered them, perpetrated them, or participated in them."

President Roosevelt repeatedly made the position of this Government abundantly clear. On August 21, 1942, he said:

The United Nations are going to win this war. When victory has been achieved, it is the purpose of the Government of the United States, as I know it is the purpose of each of the United Nations, to make appropriate use of the information and evidence in respect to the barbaric crimes of the invaders, in Europe and in Asia. It seems only fair that they should have this warning that the time will come when they shall have to stand in courts of law in the very countries which they are now oppressing and answer for their acts.

On October 7, 1942, he said:

It is our intention that just and sure punishment shall be meted out to the ringleaders responsible for the organized murder of thousands of innocent persons and the commission of atrocities which have violated every tenet of the Christian faith.

The Acting Secretary of State, Mr. Grew, on February 1 of this year pointed out that the Department of State in consultation with other departments had

worked out proposals for the realization of the objectives stated by the President, proposals "as forthright and far-reaching," he said "as the objectives announced by the President which they are intended to implement."

These are but a few of the pronouncements that have been made not only by the executive branch of this Government but by spokesmen for the United Nations.

The resolution which I have introduced makes it clear that the Congress of this country supports both the determination of the United Nations to punish war criminals and the policy of this Government to cooperate with its allies in this grave undertaking.

Moreover, the resolution sets forth the policy which the Congress feels should be followed in respect to the defenses against trial or punishment which the criminals may be expected to raise.

Finally it makes it absolutely clear that the Congress supports the administration in the representations which this Government has made to the governments of the neutral nations against affording war criminals asylum in their territory. Mr. Cordell Hull revealed last fall that the neutral governments had been advised that if they refused to admit Axis leaders and their henchmen and criminal subordinates to their territories, problems between those governments and the United Nations could be avoided. They were also advised that the American people would not understand the extension of asylum or protection by neutral countries to any of the persons responsible for the war or for the barbaric acts committed by the Axis leaders. President Roosevelt, almost 2 years ago, on July 30, 1943, declared that "the Government of the United States would regard the action by a neutral government in affording Axis leaders or their tools asylum as inconsistent with the principles for which the United Nations are fighting." The resolution which I have introduced reinforces the policy already declared by the executive branch of the Government that we expect the neutral nations to surrender any war criminals who come within their borders.

The prompt adoption of the resolution is highly desirable since it gives timely notice to the Axis Powers that the Congress wholeheartedly supports the policy announced by the executive branch of the Government to cooperate with the Allied Nations in their steadfast determination to ensure that the guilty shall not escape.

Moreover, on April 16, 1945, in this very Chamber, before a joint session of the Congress of the United States, President Truman, whom providence has destined to lead us out into a more enlightened world of peace, emphatically declared in his brief and courageous message:

We do not wish to see unnecessary or unjustified suffering. But the laws of God and of man have been violated and the guilty must not go unpunished. Nothing shall shake our determination to punish the war criminals even though we must pursue them to the ends of the earth.

Mr. Speaker, adoption of this resolution by the Congress will not only support and give weight to the emphatic declaration of the President of the United States, but will give notice to the entire world that this Congress intends "that all available means" be used to apprehend war criminals, and by that we mean every possible effective means, facility, or modus operandi that now exists or may hereafter be devised to accomplish the objectives of this resolution and produce the intended results; namely, the apprehension and punishment of war criminals even though we must pursue them to the utter ends of the earth.

In concluding Mr. Speaker, adoption of House Concurrent Resolution No. 39 by the Congress, will formalize the will of American people, and be a definite step in strengthening and supporting the cause for which our beloved, Franklin Delano Roosevelt, the great liberator, gave his life—to bring justice to the world.

[From the Boston (Mass.) Sunday Post of April 29, 1945]

#### THEY BROKE ALL LAWS

The first test of the strength and durability of the machinery for lasting peace, being assembled at San Francisco, may come quicker than most of us think.

Shortly, the Nazi war lords, the sword wavers, and the word wavers are going to find themselves with their backs against the last wall, and will then flee the scenes of their carnage to seek refuge from angry hands in some foreign hide-out.

Little men, bitter men in the mass, still unwilling to admit defeat and struggling in the way of whimperers for whom all hope is gone, they will look for sanctuary behind the legalistic formalities which nations adopted to protect the good refugee, but not the bad.

It was President Truman, in that part of his address to Congress which was generally overlooked, who sounded the wish and will of the people of America, when he warned that the artificers of the world's sorrow and pain would be pursued to the ends of the earth.

It was the House Committee on Foreign Affairs which resolved that the international treaties, which hitherto offered a haven to the fiendish who should face justice for their wantonness, should not bar this Nation from plucking the criminals from their plush hide-outs.

And it is the desire of people all over the world, who have borne physical suffering or the mental anguish of the war, that the men who murdered, tortured, and destroyed so ruthlessly, should not be protected by any national or international red tape.

On the heads of some people in this world, some living and many now dead, is the shame that the Kaiser, a killer no better than Hitler, was allowed to end his days, calmly sawing wood and receiving royal attentions.

No tribunal ever sat in judgment upon him. No jury ever walked out of the little room behind the courtroom and said, "Guilty." Time was allowed to erase the memories of his ferocity and responsibility for killing millions until he ended up a harmless old man, fretting away his final days in a style to which he was not accustomed.

This cannot happen again. The sovereignty of nations, the sanctity of treaties, the moral code among men of good will, the law that puts the heads of states above the law—these can hardly be invoked to protect killers who destroyed sovereignty, smashed treaties, blasted the moral code and tramped the earth as gang leaders rather than rulers of people.

All along it has been to the utmost advantage of the Axis Powers and their satellites that the nations arrayed against them have endeavored, even in a time of war, to observe the conventions. While our foes broke the law promiscuously, we carefully adhered to it.

The Nazis made shields of unarmed refugees, they slew 100 hostages for one of their own killed, they bombed cities in terror raids, they sank ships without warning, they stole the food of whole populations to starve them into submission and fatten their own people.

The list of violations of all the laws of God and humanity would bring forth from any grand jury the longest indictment ever known to man. For such, how incongruous it would be, after smashing all laws, that they be allowed to invoke them for their protection.

Here is the test for nations, the active, fighting nations of this war, for the ones which in the eleventh hour declared war on paper so to be in on the feast, and for the neutrals who stubbornly clung to nonparticipation. When the archcriminals fly and seek sanctuary, will the nation where they light act?

If one nation or a few nations falter or haggle, go legalistic or stand on ceremony, then the posse, earth's greatest posse, should assemble, with armed representatives of all the nations included, and go in and get their man without any ifs and whereases. The people, who are the law, do not want them to escape justice—justice that is the sword of the righteous, not the shield of the wicked.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. KING. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I want to congratulate the gentleman from California for drafting and introducing this resolution, and for the fine work he has done in bringing it to the floor of the House for consideration. The people of the gentleman's district might well be proud of the gentleman's services in this House. In connection with the last observation the gentleman made, I am sure he was pleased to hear the answers of the gentlewoman from Massachusetts to the question I asked her that all available means constitutes in the minds of the members of the Committee on Foreign Affairs all effective means.

Mr. KING. Yes. I thank the majority leader, he is absolutely correct.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Speaker, this resolution, as has been stated, has the unanimous support of the House Committee on Foreign Affairs. We were not only unanimous in our desire to bring punishment to the war criminals but we were unanimous in desiring to maintain the integrity of this Republic in its adherence to treaties and international documents. Torn between those two unanimous objectives, we had some little difficulty in arriving at language which would express as well as language can those two desired goals.

We have written in this resolution clearly and curtly the fact that the Congress is determined to bring to justice wherever they may be found the perpe-



trators of these war crimes. Let us see to it that the people who have been engaged in the type of crime described by the lady from Connecticut [Mrs. LUCE] and others who have visited the war fronts are brought to justice.

We have had considerable questioning by Members of Congress as to the language originally written in the bill which said, "By use of such means as may be necessary without regard to treaties of extradition," and the language first substituted for that which said, "Such means as may be necessary, irrespective of the limitations of any treaties of extradition."

I am mighty glad that this body did not want to go on record in favor of repudiating treaties. After all, the thing America is trying to do is to bring this world back to a respect for law and order, and to have respect for international treaties and international documents. Despite the fact that the State Department was satisfied with the original language, the committee was not. Some of us tried to change the original language in committee and, failing in that, we went back into session again, and after considerable discussion, the committee unanimously suggested the language which I have incorporated in an amendment which reads, "In the use of all available means in addition to treaties of extradition."

I can assure the majority leader that when we say "all available means," we use language as inclusive as we can find in an Englishman's lexicography. We think it is more inclusive than "all effective means" because men might disagree as to what would be effective means. We say "all available means," of every type, except that our committee was unwilling to go on record in favor of disregarding treaties at a time when the nations of the world are meeting in San Francisco to work out a respectable machinery for adherence to national treaties and international obligations. I am sorry the State Department approved that original language. I think it was simply an oversight on its part. I do not believe such language accurately represents the feeling of the State Department. I am positive it does not reflect the feeling of the legislative branch of the Government. We must never permit the enemy countries and the Nazi tyrants to pull us down to their foul level no matter how great the temptation. The United States has always had a high regard for its treaty commitments, and it is my hope it always will.

I hope that this resolution, as amended, will have the unanimous support of the House as it now has the unanimous support of the Committee on Foreign Affairs.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, the instant resolution is laudable. All will vote for it. One could no more be against a declaration of this sort than one could be in favor of sin. It is probably just as right as a dictionary, but of no avail unless it is used and followed up by action.

We have had torrents of words of policy and no action. An ounce of action is worth a pound of preachment. The last time out-worn but legal technicalities bedeviled the plans to punish Hun sadists, mainly because Congress did not follow up the declarations of policy. These declarations were not carried out. They were hamstrung by positive diplomatic sabotage.

What is needed is the actual setting up of working machinery to try the war criminals. This has not, as yet, been done. Although a good beginning may have been created by the appointment of Justice Jackson. The United Nations War Crimes Commission has been working for more than 2½ years, but the mountain has labored and has not even produced a mouse. It has no power. There is no central body to set up the instrumentality of courts. As far as the public knows, there has been no orderly practical program for trials and punishment worked out as yet. Lord Wright, head of the United Nations War Crime Commission, admits that the Commission has no power of investigation and no local officers or machinery either in Germany or elsewhere.

Only recently was Hitler placed on the list of criminals at the instance of the Czechs. Hirohito, due to some forces in our State Department, has not yet been placed on any war criminal list. To say that he and his baron clique would be the only focus of responsibility and stability in Japan after the Japanese defeat is, in my mind, ridiculous. By sparing him and his palace, we only strengthen and encourage the Japanese in their belief that he is a descendant of the sun goddess. That "Sacred cow of Japan must be smashed forever."

Herbert C. Pell, erstwhile American delegate to the War Crimes Commission, has complained bitterly that the Commission through him sent to the State Department months ago recommendations as to methods of trial, types of courts, definition of war criminals, and so forth. Instructions were sought. The State Department has not acted as far as the public knows, in giving such instructions. They may have been given, but we do not know. Why keep these matters secret?

This is the congress or parliament in the world now functioning that knows least of all about war criminals.

There has been full dress rehearsals staged in the British House of Commons on the subject, but we have had no debates on the entire situation. We are indifferently informed. For several years we knew of the general atrocities against other nationals, but there were indifferent shrugging of shoulders. But our chickens came home to roost when we saw the pictures of our own boys tortured and starved in camps like Beesen and Buchenwald.

I believe it is for this Congress to authorize a regular committee like the Judiciary or House Foreign Affairs Committee to stand in the offing and watch the entire situation. Whenever evidences of ineptitude, lack of courage, or hesitancy appear, anywhere, in any depart-

ment having jurisdiction, or British Foreign Office, or the War Crimes Commission, these committee members could force action or at least inform the public of indecision, unwarranted actions or lack of action. How many Members in this Chamber know the definition of war criminals? Have you given it any study? Has any department issued such definition to the public?

Mr. LUTHER A. JOHNSON. Mr. Speaker, this resolution is for one specific purpose, and one only. It is a declaration by the Congress of the United States as the representatives of the American people, for whom they are authorized to speak, declaring the will of the American people regarding the apprehension and punishment of war criminals.

The executive department has spoken and acted with reference to these war criminals, the press and the radio commentators have expressed their opinions, but Congress and Congress alone has the right to speak for the American people upon this important subject, and when we have spoken, the executive branch of the Government should and will carry out the mandate of the American people in this regard.

The resolution makes three positive and firm declarations, in clear and unequivocal language regarding three phases of these war criminals:

First. In subsection (a), it pledges our Government to cooperate with the nations allied with the United States in the present war in the determination of these criminals, irrespective of rank, who are to be brought to trial and summarily punished as war criminals for the perpetration of and the participation in acts of atrocity, or treachery, oppression, or pillage by political, military, or economic means.

This is a pledge that our Government will cooperate in the punishment of these war criminals, and that they shall be brought to trial and punished for their crimes.

Second. Subsection (b) expresses the conviction that such criminals shall not be exempt from trial or punishment by virtue of any status as head of a state or as an official of any state or as an industrialist or civilian, or by virtue of the fact that any such acts involved were the acts of state or were performed under the compulsion of superior orders.

In other words, that such war criminals shall not hide themselves behind their government or their superior officers, but that they shall all be held subject to punishment without these cloaks of escape that are sometimes invoked by such criminals.

Third. In subsection (c) we pledge the United States to join with other nations in the use of all available means, in addition to treaties of extradition, to secure the person or property of those persons determined to be war criminals who have already fled, or may hereafter flee, to any neutral nation, or any other nation, that may harbor them or afford them a place of asylum.

This is a warning to neutral nations, and other nations, that our Government will not tolerate the harboring of these criminals in havens to which they may

flee, and that we will invoke the powers of the United States, in connection with the other Allied Nations, in demanding the surrender of any such fleeing criminals, so that they may be punished and brought to justice for their atrocities.

This resolution, therefore, deals with all phases of war criminals, both as to their prosecution, regarding their defense, and in apprehending those who flee.

The crimes of the Axis Powers in this war have been unprecedented in history. The leaders of the Axis Powers have not been alone in the perpetration of these offenses. There have been many offenders, and they should all be punished. None should be allowed to escape. That, I submit, is the will of the American people, and their will is crystallized in this declaration of policy, which is notice to the executive branch of the Government, notice to our allies, and to our enemies of what the American people demand shall be done with these outlaws who have offended and violated not only the laws against man and society but against humanity itself.

So shocking have been the crimes perpetrated by these war criminals that upon the request of Gen. Dwight D. Eisenhower there was sent recently to Europe a committee of Congress and of the press and others to view and witness these horrible atrocities, so that the American people would not claim that the charges of such was mere propaganda but based upon physical evidence of violence and barbarism so shocking that it was not believed that any human beings would perpetrate such atrocities and crimes.

Of course, these criminals should be punished, and Congress would be recalcitrant in its duty as representatives of the American people if it did not so declare and so demand, as this resolution does.

The charge made by some who have spoken, that nothing has yet been done about this matter, is not true. Our Government, in connection with the other allied nations, has long since begun the consideration, and has set up the War Criminals Commission, and a long list of war criminals has already been prepared and other names are being added to it, and machinery has been set in motion whereby such criminals will be punished, and only a few days ago the President of the United States appointed Associate Justice Robert H. Jackson, Associate Justice of the Supreme Court, and one of the ablest Members of the Supreme Court, as the official prosecutor to represent our Government in the prosecution of these war criminals.

It was never intended by the founders of our Government that Congress should be the prosecutors or the enforcers of law. Congress legislates and declares policies, while the executive branch of the Government enforces and executes law. Congress may, upon occasion, investigate the executive departments, but in my judgment it should never be formed as a part of a commission in the execution of laws.

I hope that the criminals of this war may not escape, as was done in the last war.

This resolution reflects the will of the American people, and it should receive the approval of every Member of this House.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to include as a part of my remarks a letter from Secretary of State Stettinius regarding this concurrent resolution.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members have 5 days in which to extend their remarks in the Record on this concurrent resolution.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. NEELY].

Mr. NEELY. Mr. Speaker, unfortunately, the pending resolution has been brought before the House in circumstances which provide it iron-clad protection against amendment and restrict the Members to the attenuated privilege of simply voting for or against its adoption. Manifestly, no one opposes it. But many regret that it does not vigorously say much that it leaves unsaid.

It was my desire to offer and my hope that the House would approve the following amendments:

On page 2, in paragraph (b), line 1, after the word "state" insert "Or by reason of any pretended supernatural origin or relationship."

The purpose of this language is to fortify the representatives of this country against any clamor that may be made in behalf of leniency for Hirohito because of his pretended relationship to the sun goddess, or any other creation of pagan imagination.

Immediately after paragraph (b) insert the following:

To regard as war criminals, meriting the death penalty and confiscation of property, the head and all other responsible officials of any enemy nation who aided or abetted by any means whatsoever the perpetration of any act of atrocity against any serviceman, servicewoman, or civilian of any Allied nation during the present war.

To regard as war criminals, deserving the death penalty, all others of any enemy nation who, except upon actual compulsion, aided or abetted in any manner the perpetration of any act of atrocity against a serviceman, servicewoman, or civilian of the United States or any of her allies during the present war.

These amendments, if adopted, would at least be notice to those who represent this country in the important matter of dealing with war criminals that the House means by punishment, as used in the resolution, the hanging as high as Haman of every Axis fiend who is duly convicted of having participated in the perpetration of atrocity against any serviceman, servicewoman, or civilian of the United States or her allies during this war.

In my opinion, it will require much more than the euphemistic language of

the resolution in its present form to prevent the Axis wholesale murderers from escaping not only from the hanging they deserve, but from every other sort of physical punishment, just as their progenitors in crime escaped punishment after the First World War.

It is generally known from evidence that cannot be refuted that the Nazis and Japanese have systematically and sadistically inflicted upon multitudes of those whom they have conquered or captured torture that shocks civilization and horrifies Christianity. The crimes committed in enemy torture camps and extermination chambers are too revolting for public description.

To fail to destroy those who are responsible for these abominations will be to leave in the militaristic soil of the Axis countries the fertile seed of another world-wide war which, under the leadership of the hopelessly incurable conquestmongers of Germany, will be launched against our children and our children's children within the next 25 years.

There are startling indications that the militarists of the Old World and the monopolists of both the Old and the New plan to sabotage the Dumbarton Oaks proposals, the Bretton Woods agreement, the San Francisco Conference, and make the peace so soft for the Axis Powers that their masters of baneful financial and economic practices may promptly resume their cooperation with the captains of predatory exploitation in Allied countries, to the end that the world may again be ruled by the international cartellists who shamefully plundered the people of all the nations for 20 years before the Second World War was begun. If this wicked scheme is consummated all those who have died for the Allies' cause will have died in vain.

Let us, before the adjournment of this session, proclaim by record vote our unalterable opposition to a tender peace for the gangster-ruled, cutthroat nations of the earth, Germany and Japan. In similar manner, let us demonstrate that the overwhelming sentiment of this Chamber is for the prompt execution of every Axis official who, by torture or otherwise, cold-bloodedly murdered the servicemen, servicewomen, or civilians of the United States or any of her allies during this war.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. GOSSETT].

Mr. GOSSETT. Mr. Speaker, I am wholeheartedly supporting this resolution as amended. I think, however, that this Congress should go much further and set up a special committee of the House and the Senate to see that this policy is further implemented and is carried out.

Most of you read in yesterday's paper the report of 18 leading editors from all over America concerning war crimes. In today's paper I have just read the following item:

FOUR MILLION EXTERMINATED IN ONE CAMP, REDS SAY

LONDON, May 7.—The Moscow radio said today that more than 4,000,000 persons of var-



ious European nationalities were killed by the Germans in the Oswiecim concentration camp in Poland.

The broadcast quoted the Soviet Extraordinary State Commission describing the camp as "far surpassing all hitherto known German death camps in its elaborate equipment, technical organization, and mass-scale extermination of people."

We ought to have an official agency of this Congress to gather together the complete facts and data on war crimes and atrocities. We ought to know what is true and what is false, for the sake of humanity and for the benefit of posterity. There should be a responsible committee of this Congress, not only to see that the policy which we are about to declare is carried out but for the purpose of knowing what is true and what is untrue in the myriad of reports now circulating throughout the world concerning war crimes and atrocities. We need a clearing house and a central statistical agency for the sake of human decency and for the record hereafter. Such activity would certainly be in the interest of world peace.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. CELLER. I offered exactly the same bill which the gentleman advocates now before the Committee on Foreign Affairs, and it was tabled.

Mr. GOSSETT. No; you proposed a commission of Congressmen and civilians.

Mr. CELLER. I offered the bill so that we in Congress would know what was happening and so that the words we utter here would not be belied by a lack of action.

Mr. GOSSETT. The gentleman's resolution was to set up a commission of Members of Congress and civilians. What I propose is simply for Members of Congress, so many Representatives and so many Senators, in order to fix the responsibility and see that the job is done. Everybody's business is nobody's business. Insofar as I know and believe we now have no fixed policy nor any adequate machinery for dealing with this most important matter. We will doubtless need some legislation to set up rules of procedure and to establish adequate machinery to facilitate and insure the prosecution and punishment of war criminals. We must certainly see to it that a true history of Nazi and Japanese barbarism is written. The dastardly record our enemies have written might well be used as an effective weapon in the arsenal of peace.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. VOORHIS].

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield 1 additional minute to the gentleman.

The SPEAKER. The gentleman from California [Mr. VOORHIS] is recognized for 3 minutes.

Mr. VOORHIS of California. Mr. Speaker, I am very much obliged to both the gentleman from Texas and the gentlewoman from Massachusetts for the time they have given me.

Of course, as has been pointed out, this resolution of my colleague from Califor-

nia [Mr. KING] will pass unanimously, as it should. I had hoped that the resolution might go somewhat further than it does and I submitted to the acting chairman of the committee a proposed amendment thereto which I understand the committee believed was not germane to this particular resolution. In any event no amendment could be offered to the bill since it has come up under suspension of the rules. I believe the resolution an entirely proper one. I am for it. But I want to speak about another part of our present duty.

I want to say, Mr. Speaker, to the Members of the House, that at this very moment and even before this moment, on this very VE-day and before and after, there has been at work and there will be at work the same forces which began preparing for this war even before World War No. 1 was ended. They are forces which seek through cartel organizations through transfers of German properties and technological research and finance and personnel from Germany into neutral nations where presumably they may be beyond the control of the Allies, to rebuild the sinews of Germany's future military power and warmaking power. The day must come, and that speedily, Mr. Speaker, when this House will, at the very least, go on record, as it goes on record in this resolution with regard to individual war criminals, against the possibility of the rebuilding by these methods of the war potentialities of Germany. Surely one of the purposes of the punishment of war criminals is not simply to visit punishment and to take retribution upon those whose fond ambition has caused all this suffering in the world, but also to render a repetition of their nefarious work impossible. If we earnestly are devoted to that cause, then it becomes necessary that we see to it the same thing does not happen as happened after the First World War, namely the rebuilding in neutral nations and other nations through business deals, which make money for people unfortunately, the means whereby armament industries of our enemies could be rebuilt. I plead only, Mr. Speaker, that early and definite action may be taken by this body along lines of that sort.

I am going to ask in the course of the next few days for an opportunity to address the House at some length because I have information about this problem in which I know the membership will be deeply interested and concerned. It is a matter, Mr. Speaker, which demands our immediate attention.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield to the gentleman from Alabama [Mr. PATRICK] such time as he may require.

Mr. PATRICK. Mr. Speaker, the winds of war are blowing out. When Japan does what Germany is today doing, the world can then take time to number its war dead.

This resolution will pass the House with not a dissenting vote. Let us with this vote serve notice to all living persons that this is a resolution with a will and that will a determination to see that justice, stern as this justice is, is done

to the gangsters who hatched and put to work the wicked war scheme.

The awful arts that would come with another war would be more than the world can endure. The buzz bomb is a creation of this conflict. It is in a most imperfect stage of its death dealing possibilities. It is a fresh piece of devilry. Let Germany, or any organized gangster nation have 20 years—even 10 years—to secretly make, sight, and set buzz bombs and the nation of its wrath can easily be destroyed in a very few weeks—perhaps a few days.

The remedy begins, in part, with our resolution here today. Let us ask heaven to bless it and pray that the God of nations guide us in carrying it through.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Speaker, undoubtedly this resolution will be passed unanimously. I want to add my voice in favor of its passage. I am inclined to feel that it might have gone further than the language of the present bill goes with great justice and propriety. I listened a few minutes ago to the fiery remarks of the gentleman from West Virginia [Mr. NEELY] and felt in my heart very much as he does regarding the archcriminals who have plunged the world into such misery as it has suffered in this war. I must confess that I am about equally puzzled as to the proper kind and degree of punishment which would be suitable for these international outlaws and as to what classes of persons constitute these criminals. Just now I am as anxious that we have a right determination of who are top-ranking criminals who should be held responsible as I am as to what should be done with them. Of course, there is no question about including the name of Hitler, Mussolini, and Hirohito—but who else? Who are these criminals against society?

What should be the nature, and more important still, what should be the purpose, of the punishment of these criminals when they are in the power of civilized society to deal with them? That is another big question which ought to be settled. How would it be possible to deal properly with these national and international criminals without making martyrs of them and producing in the minds of their fanatical followers exactly the wrong emotions and sentiments concerning them? How can their names become a hissing and a byword down through all future ages, as any pronouncement of justice should decree for them?

I have read quite a great deal of human history. I am inclined to think that we are going to have to write some history in reverse. As we look back over the story so familiar to the student, how many would-be world conquerors, although they failed, died quietly in bed? How many leaders, political or military, who have dipped their hands in innocent blood, have been eulogized in the chronicles and have had monuments erected to them by later generations? It might have a wholesome influence

upon future ambitious leaders, developing as embryonic monsters, to know that in starting wars they were heading into not lives of ease but deaths of violence—not records of glory but chapters of infamy. History had better be taught differently from now on, and its content should be different, for the reading of young potential Hitlers or Mussolinis or any such, down to the end of time.

After all, the "Buffoon on a Balcony," or the "Beast of Berlin," or the "Moron of Tokyo" have been but tools in the hands of a class—and how many compose such a class and of whom does it consist? And what shall be our attitude in dealing with that class? I am convinced that the German militarists of the Prussian school and the Japanese war lords of the Tojo class, through their teachings, are the creators of the few infamous specimens whom we are accustomed to name as the arch criminals. How can we rid the world of such virus and prevent its spreading to other peoples?

Perhaps it is a matter of right education, just as this criminal class itself is a product of wrong education, for wrong education has created that dangerous class, and right education could eliminate it. There can be no question but that wrong education has produced this dangerous class which then has used some leader as a tool to do its bidding. Old Kaiser Bill was simply a tool in the hands of the Prussian war lords a generation ago. The insane Hitler was simply a tool in the hands of the same class in our troubled time. It is this dangerous class and their teachings that have brought forth this fruit of calamity.

How the Prussians have glorified war! How they have lined their streets with warriors in marble and bronze! We are told that a witty Frenchman, in passing through Berlin, remarked that "Prussia was hatched from a cannon ball, like an eagle from an egg." Yes, the Germans, who came so near conquering the world and who required the total might of the United Nations to bring them to the dust, gained ascendancy in the beginning through war and conquest. It is not strange that they assumed that might makes right. It is not strange that they regarded war as a biological necessity and that they taught that military achievement is the grandest work to which the human mind can give its attention. They taught that war is noble.

They had not learned until this hour the ancient truth, "He that liveth by the sword shall perish by the sword." Verily, the fate of Germany, as well as that of Italy and Japan, has been brought upon them by their false philosophy and teachings. If we are to assess their crimes and convict their criminals, others, with their political and military leaders, must appear at the bar of judgment and be assessed their punishment.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield the balance of the time to the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Speaker, I am in favor of this resolution, but I hope I can control my anger and resentment at the news we read in the papers yesterday

when Moscow announced they had arrested the 16 Polish leaders. These men represent the Polish Government. They represent the political parties of Poland. They are part of the official government which our country recognizes, and with which the United States of America has had diplomatic relations and military relations throughout the war, namely, the government in London.

Those people were working in cooperation with the Government in London. Some of them were members of the Polish Army in Poland, working in cooperation with the Polish Army that has been fighting in Italy, France, and on all battle fronts. Those 16 men were arrested. For what reason? It was claimed that they had a radio, and that they were communicating with London. They had a right to do that. They were a part of the Polish Government in London, and they kept in touch with their Government in London. The United States recognized that Government. If such arrests are going to be tolerated, I do not know where it will end. I think it is high time that our Government should insist that we should have an Allied commission in Poland and in these other countries so that these men can have the protection of an Allied commission. Moscow has no right to bring these people to trial. They are not Nazis. They have fought the Nazis for 6 long years with everything at their command. Of course, they are not Communists. Since when is this a crime?

Ninety-nine percent of the people of Poland are not Communists. According to Moscow then, they should all be arrested and exterminated.

In accordance with the Yalta agreement, these 16 Polish leaders were invited to confer with the Lublin group and the London group. Instead, they were kidnaped and arrested, and Moscow has defied London and Washington to do anything about her lawlessness.

I have been preaching unity, friendship, and understanding between the United States and Russia and Poland and Russia. Every American wants it that way. It is regrettable that Moscow's dealings with her neighbors are spreading gloom throughout the world. Moscow is making enemies when she should be making friends. Moscow is creating a gap between herself and the Anglo-Americans at a time when the greatest cooperation will be needed.

Russia needs America badly. After the war she will need billions of dollars worth of materials to reconstruct her railroads, power plants, her industries, and to rebuild her cities and towns. She will need farm machinery and tools. Does she expect to have our cooperation by pursuing her present policy?

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I yield such time as he may desire to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, I have taken this time in the course of this debate to talk upon the matter of the recent German atrocities. Nothing has shocked the people of America as much

as the revelations of these wanton cruelties to those who were German prisoners during the course of this war. We had heard of these things; but until our armies actually drove into the heart of Germany and liberated the prison camps, we could not believe that the stories were true.

Now we know the real truth. Never in all history have acts of such barbarity been visited upon captive peoples. Thousands upon thousands died of starvation; other thousands died of cruelties, and still others were mowed down by the machine gun. They were killed by infuriated Nazi leaders, and their bodies have been permitted to fill the compounds and the enclosures by the thousands alongside of those who yet lived. A total absence of medical treatment at times has prevailed; and unspeakable indignities have been visited upon those poor, defenseless peoples.

Because these atrocities are worse than anything we could have dreamed, some of us want a permanent commission set up to record and tabulate these countless acts of bestial inhumanity. We think they should be put in permanent form; and should constitute an all-time black record of atrocities. This record should cover not only German but also Jap atrocities. While the German acts are fresh in our minds, we must not forget that the Japs have already been guilty of acts of savagery which will be a constant shame to the peoples of the Orient for a thousand years to come.

These records, properly compiled and cataloged, should be permanently bound. They should be available this year, next year, and a thousand years from now. They should be available to the War Crimes Commission which meets in London, to the right-thinking Christian people all over the world and they should be available to historians who will again and again record in the annals of the past those despicable acts of bestial brutality which indelibly have blackened the name of everything Nazi.

I think it is a very important thing to make a permanent record of these atrocities; and for this purpose we should have a permanent War Atrocities Commission.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent that all Members who have spoken may have the privilege of revising and extending their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas? There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would say in answer to the gentleman from Michigan, obviously the United States, from press reports, is outraged at what has happened insofar as the 16 Polish captives are concerned.

Mr. Speaker, Germany must never again be allowed to become militarily strong. Germany must never again be allowed to teach the ideology and barbaric practices of the Nazi.

The SPEAKER. The question is, Will the House suspend the rules and pass the resolution?

The question was taken, and, two-thirds having voted in favor thereof, the



rules were suspended and the resolution was passed.

A motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to extend the remarks I made today.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

#### SALARIES OF POSTMASTERS, OFFICERS, AND EMPLOYEES OF THE POSTAL SERVICE

Mr. SMITH of Virginia, from the Committee on Rules, submitted the following privileged resolution (H. Res. 246, Rept. No. 526) which was referred to the House calendar and ordered printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 3035 to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes. That, after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Post Office and Post Roads, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

#### TO AMEND FEDERAL FARM LOAN ACT, EMERGENCY FARM MORTGAGE ACT, FEDERAL FARM MORTGAGE CORPORATION ACT, AND SERVICEMEN'S READJUSTMENT ACT

Mr. SMITH of Virginia, from the Committee on Rules, submitted the following privileged resolution (H. Res. 247, Rept. No. 527) which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2113) to amend the Federal Farm Loan Act, the Emergency Farm Mortgage Act of 1933, the Federal Farm Mortgage Corporation Act, the Servicemen's Readjustment Act of 1944, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

#### APPEAL FROM DECISION OF THE COURT OF CLAIMS

Mr. SMITH of Virginia, from the Committee on Rules, submitted the following resolution (H. Res. 248, Rept. No. 528) which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 1270) to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

#### TO AMEND SECTION 201 (g) OF THE NATIONALITY ACT OF 1940

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 229 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 388) to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601). That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, this is a rule for the consideration of the bill H. R. 388, which makes a very slight change in the immigration laws.

The bill was reported unanimously by the Committee on Immigration and Naturalization. I know of no objection to the bill. The purpose of it is to shorten, to some extent, the time that a person born outside of the United States, one of whose parents is a citizen of the United States, may retain his citizenship. I should like to know if the minority desire that I yield any time? It is my purpose to move the previous question.

Mr. MICHENER. Mr. Speaker, there is no desire to take any time on the rule because the rule provides adequate debate on the bill.

I do, however, desire to ask unanimous consent that the gentleman from Minnesota [Mr. PITTENGER] may extend his own remarks in the Record and include therein some correspondence.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. DICKSTEIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 388) to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601).

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 388) with Mr. MANSFIELD of Montana in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DICKSTEIN. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. DICKSTEIN. Mr. Chairman, this bill deals with the children of the members of our armed forces. Under the Nationality Act of 1940 a citizen must have resided in the United States for 5 years after his sixteenth birthday in order to transmit citizenship to children borne by a noncitizen wife. We all know that our boys are being drafted at 18 and 19 years of age. Many of them marry in the European theater of war and children are born of such marriages. These children under the existing law are aliens. H. R. 388 has been requested by the War and Justice Departments, to correct this situation, to amend the law so that a citizen can transmit citizenship to his children if he has resided in the United States for 5 years after his twelfth birthday, instead of his sixteenth birthday.

Thousands of children have been born from the wedlock of American boys under 21 years and foreign girls in European theaters of war who today are classified as aliens. On the other hand, a boy if over 21 years of age can transmit citizenship to a child born to him under such circumstances.

This bill passed the House in the last Congress but died in the Senate because of lack of time to get it through that body before the end of Congress. Otherwise it would have been enacted into law.

Mr. MASON. Mr. Chairman, there should not be any objection to the passage of this bill H. R. 388, and there would not be if the membership of the House understood what the bill sought to do. I shall try to make that as clear as I can to the membership of the House.

Under present law, the child of a male citizen of the United States and an alien wife automatically becomes an American citizen, but there is a provision of the

law which states that this male citizen of the United States must have lived in the United States 10 years, and 5 of these years must have been between the time when he was 16 and 21. Hundreds of thousands of our American boys have either volunteered or have been drafted before they were 21; therefore, they do not comply with the provision which says they must have lived here between the ages of 16 and 21. If they volunteered when they were 17 or were drafted when they were 18, 19, or 20, and are in the European theater of war and have become 21 years of age while there, and if they marry, a child of that marriage under present law would not be an American citizen because the father had not complied with that restriction in the law which says he must have lived in the United States between the ages of 16 and 21.

All this bill does is to make the child of such a marriage a citizen of the United States automatically, even if the boy has not lived here from 16 years to 21 years. It waives that particular part of the present law and that restriction. That child, the result of a marriage between an American male citizen and an alien wife, will automatically become a citizen of the United States.

Mr. SHAFER. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Michigan.

Mr. SHAFER. Does not the gentleman think this legislation would be improved and all doubt taken out of it if it were specified in the bill that the man had served in the armed forces during those 5 years?

Mr. MASON. Such amendment is to be offered to the bill to further restrict and to provide that he must have served in the Army of the United States and have been honorably discharged.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. This bill does not waive the 5-year period except for those in the armed services?

Mr. MASON. That is right.

Mr. CUNNINGHAM. Will it waive the full 5-year period for those in the armed services?

Mr. MASON. Yes.

Mr. DICKSTEIN. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc., That section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601) be, and the same is hereby, amended to read as follows: "A person born outside the United States and its outlying possessions of parents one of whom is a citizen of the United States who, prior to the birth of such person, has resided in the United States or one of its outlying possessions for a period or periods totaling 5 years subsequent to his twelfth birthday, the other being an alien: Provided, That in order to retain such citizenship the child must reside in the United States or its outlying possessions for a period or periods totaling 5 years between the ages of 13 and 21 years; Provided further, That if the child has not*

taken up a residence in the United States or its outlying possessions by the time he reaches the age of 16 years, or if he resides abroad for such a time that it becomes impossible for him to complete the 5 years' residence in the United States or its outlying possessions before reaching the age of 21 years, his American citizenship shall thereupon cease.

"The preceding provisos shall not apply to a child born abroad whose American parent is at the time of the child's birth residing abroad solely or principally in the employment of the Government of the United States or a bona fide American educational, scientific, philanthropic, religious, commercial, or financial organization, having its principal office or place of business in the United States, or an international agency of an official character in which the United States participates, for which he receives a substantial compensation;"

Mr. REES of Kansas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REES: Page 2, line 1, after the colon, following the word "alien", insert the following: "Provided, the foregoing provision of this subsection shall not apply where the citizen parent has served, is serving, or shall serve honorably in the armed forces of the United States during the period from December 7, 1941, and ending on the day proclaimed by the President as the date of termination of hostilities of the present war."

Mr. REES of Kansas. Mr. Chairman, if the membership present had listened to the distinguished gentleman from Illinois you will understand that this amendment simply restricts the provision of this bill to and only to members who have served honorably in the armed forces. No one else is entitled to the privileges under this bill except that group.

If there are any questions, I shall be glad to answer them.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Arizona.

Mr. MURDOCK. As I understand, the gentleman's amendment then would limit the provisions of the entire act only to those who had served in the armed forces and their dependents.

Mr. REES of Kansas. This amendment simply broadens the rights provided under present law only to the extent that it applies to members of the armed forces from December 7, 1941, until the termination of the war.

Mr. MURDOCK. I certainly favor the amendment but I was trying to find out whether this amendment, if adopted, would make the entire bill apply only to those in the armed services.

Mr. REES of Kansas. The gentleman is correct.

Mr. SHAFER. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Michigan.

Mr. SHAFER. Will this amendment strike out the proviso reading as follows:

The preceding provisos shall not apply to a child born abroad whose American parent is at the time of the child's birth residing abroad solely or principally in the employment of the Government of the United States or a bona fide American educational, scientific, philanthropic, religious, commercial, or financial organization, having its principal office or place of business in the United States, or an international agency of an official character in which the United States participates, for which he receives a substantial compensation.

tific, philanthropic, religious, commercial, or financial organization, having its principal office or place of business in the United States, or an international agency of an official character in which the United States participates, for which he receives a substantial compensation.

Mr. REES of Kansas. May I say to the distinguished Member from Michigan that the provision referred to is a part of the law at the present time. We are not changing the present law with respect to that group of people.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The amendment was agreed to.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I move to strike out the last word, and ask unanimous consent that I may be permitted to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I am one of those who have not been in on the various gossips and rumors reportedly coming out of the Committee on Military Affairs in the past few days in relation to War and Navy Department plans after VE-day. For that reason I am in no way a party to the argument over who let the cat out of the bag. However, I have always felt that a Member of the House has some privileges in knowing what is going on and deserves better treatment at the hands of a committee chairman than as though the Member were a child. Plans to be followed after VE-day that come out of these Departments are of great concern to this House. They are also of deep interest to the people we represent back home. This hush-hush attitude on the part of some people who happen to be on the "in" should stop.

For that reason I am introducing at this time a privileged resolution directing the Secretary of War and the Secretary of the Navy to transmit to the House of Representatives copies of all plans of their respective Departments for providing free transportation home to persons in the armed forces returning to the United States on furlough after victory in Europe.

Furlough transportation for our service men and women is an issue which has been ducked by responsible authorities for the past 3 or 4 years; ever since I have had my bill before the House. Little opportunity has been given for debate on this subject. Little attention has been paid by those responsible to the subject of transportation during furlough, which I have repeatedly asked be adopted as a policy of the War Department. I have maintained all along that it is not necessary for legislation to be presented. If the Secretary of War or the Secretary of the Navy so desire, they can come out with a definite military policy of furlough transportation, just as they have in the case of proper medical attention for the people in the service. I have consistently kept at this issue, which I think should merit attention from the Committee on Mil-



tary Affairs and also the War and Navy Departments. I do not refer to transportation on the high seas; I am talking about carrying people from the port of entry or training camp to and from their homes.

In spite of the Secretary of War, who has turned thumbs down on each bill I have introduced on this matter which has hung fire for three Congresses, I am sure that if it were instituted as a definite policy of the War Department it could be made to stick, and it would be found workable without any legislative action except an appropriation.

Any Member of the Congress has the right to ask the Committee on Military Affairs for a definite report on the plans of the War Department in this respect. However, I have introduced this privileged resolution which will at least bring the matter to a head. I hope within the next 7 days favorable action on the part of the committee will be taken and some report given to this House so that every Member can have a copy of what is up the sleeve of the Secretary of War and the Secretary of the Navy.

I am not basing any statement on rumor. It is my understanding something is going around that after VE-day in Europe every man who is brought back to the United States is to have the opportunity to go back home for a few days. I think he ought to have that opportunity. If he happens to come within the boundaries of America, I think he should have a chance to have his way paid home. I do not see that it would make any difference to the common carriers so long as they were guaranteed the transportation the men should have.

For that reason, Mr. Chairman, I am introducing this privileged resolution now. I think any Member of the House should be able to obtain the information he asks for on this subject, and I hope the Chairman will have a definite report before long.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MANSFIELD of Montana, the Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 388) to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601), pursuant to House Resolution 229, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment. The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. DE LACY asked and was given permission to extend his remarks in the RECORD and include five articles from the Seattle Star, on the subject of Bretton Woods.

Mr. GOSSETT asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

#### SPECIAL ORDERS

The SPEAKER. Under previous order of the House, the gentleman from North Carolina [Mr. ERVIN] is recognized for 1 hour.

Mr. ERVIN. Mr. Speaker, I yield back the balance of my time.

Mr. MANSFIELD of Montana. Mr. Speaker, I have consulted with those Members who have special orders today. They have agreed that I may ask unanimous consent to address the House for 5 minutes at this time.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. MANSFIELD of Montana. Mr. Speaker, I have been very disturbed and worried about the attacks being made in the press and over the radio against our Secretary of State, the Honorable Edward R. Stettinius, both on the eve of the San Francisco Conference and since. These commentators and reporters, it seems to me, have come to consider themselves as policymakers in the affairs of our Government and they are very free in saying what should and should not be done.

As an illustration, one well-known commentator wrote on April 17—5 days after President Roosevelt's passing—that Mr. Stettinius should be removed as Secretary of State and that "it would seem to be advisable to make the change before the San Francisco Conference rather than after it" and that the "foreign ministers of Britain, Russia, China, and France ought to be enabled to confer officially with the man who will actually be Secretary of State when they go back home." Does not this commentator know that President Truman is perfectly capable of making his own decisions concerning who shall make up his Cabinet and that, when he desires advice, he is only too willing to ask it of qualified individuals?

Some newspapers are also very angry at the admission of Argentina into the inter-American fold and also because she has been given a seat at San Francisco. These papers immediately attacked the fact that Argentina had been voted a seat at San Francisco without taking the time or the trouble to investigate what was behind the admission. It should be remembered that the Argentine policy was not Stettinius'—he has been Secretary for approximately 7 months—but his predecessor's. The critics of Stettinius did not seem to realize that Argentina was readmitted on April 4, 1945, to the American family of nations because of the pressure of the other Latin-American states who in the words of Sumner Welles "disapproved our unilateral policy of coercion toward Argentina commenced

in the autumn of 1943 and lasting until February 1945." Are we going to penalize a people who, according to reports, have been sympathetic toward our cause just because they have Fascist leaders? If that is the case then we will have to reexamine our relations with a lot of other countries who would fall in that category even though, on the surface, they are on our side. If we are going to have real pan-Americanism in this hemisphere then I believe we must act as a unit and not unilaterally.

Furthermore, the admission of Argentina to the Conference was brought about because the other Latin-American nations desired it. We did not try to force our will on our neighbors but we treated them as equals and gave their desires the consideration they were entitled to.

There are many things which happen at international conferences which go deeper than newspaper head lines and editorials would indicate. I feel that we, as a people, and newspapers, as purveyors of information, should be as fair and considerate as possible, and if we have qualms about certain decisions, that we try to go behind the head lines and ascertain the facts.

We are too prone to call names when affairs are not conducted to suit us as individuals. We should remember that there are two sides to every story and the least we can do is not to become too opinionated but to be as fair and as impartial as possible. No one benefits—least of all, our country—when a newspaper of national reputation goes out of its way to show its pique over a press conference, not conducted as it would like, by referring to the meeting as a "brush-off" and our State Department officials as "bush league" diplomats.

There is a need, in these trying times, for dignity, courtesy, and consideration, and I, for one, deplore the tactics which have been used to date against Mr. Stettinius and his handling of the Conference. We should keep in mind that Mr. Stettinius has been Secretary of State for only 7 months; that he has shown great energy in trying to raise the standards and the standing of the State Department; that he has been considerate and fair in his dealings with the press, the people, and with Congress; and that he has accepted criticisms in good spirit and has tried to do things which he thought best for the country.

I do not know Secretary Stettinius very well but, as a member of the Foreign Affairs Committee, it was my privilege and duty to observe closely his work as Lend-Lease Administrator and as Secretary of State. I know I speak for all members of that great committee when I say that we were tremendously impressed with his energy, ability, and his desire to be helpful. There is nothing easy about Mr. Stettinius' job because he realizes the difficulty of his position and the stresses of these times. In my opinion, he will develop as he remains in office and I feel it is only fair that instead of sniping at him we should give him every possible form of assistance. He is up against seasoned diplomats from many lands and he, as President Truman's and

our representative, needs and is entitled to our confidence at this hour.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that I may extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. Gossett). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I want to commend the gentleman from Montana [Mr. MANSFIELD] for the observations he has just made.

Mr. Stettinius as the agent of this Government for us, the people of this country, is now engaged in the most important diplomatic undertaking which has confronted this country since the Jay-Grenville Treaty following the Revolution. It is not only the most important since that time, but it is perhaps, all things considered, as complicated and difficult as any nation in history has had to deal with. That is the job which Mr. Stettinius is engaged in. All things considered, it is not improbable that the treaty, the preliminaries of which are now in progress, may prove to be the most important agreement ever entered into in the diplomatic history of the world. It is in such an undertaking as that that Mr. Stettinius, as head of our group of diplomats, is now engaged. He is engaged not in his own business in San Francisco; he is engaged in the Nation's business, in our business, selected and commissioned to do this job by the then President of the United States, the Honorable Franklin Delano Roosevelt.

At the conference table in San Francisco there will be differences of opinion among the diplomatic representatives assembled there. The degree to which Mr. Stettinius can succeed in having our views incorporated in what may be agreed to and in protecting our interest, will depend in no small degree upon his support at home and the indications of public confidence and strength which are reflected by his people at home. There is nothing which is more indispensable to success of a diplomatic agent than the belief that he is strongly supported by his people. There is nothing which could do more to make him impotent in attending to the business to which he has been assigned than for the impression to be created that he is not thus supported.

Insofar as I have heard from any Member of Congress who has come in contact with Mr. Stettinius during his service in Washington, the opinion coincides with that which the gentleman from Montana [Mr. MANSFIELD] has just expressed when he said:

I know I speak for all members of the Foreign Affairs Committee. We were tremendously impressed with his earnestness, ability, and his desire to serve.

#### EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to revise and extend his remarks.

Mr. SHAFER asked and was given permission to extend his own remarks in the RECORD.

Mr. COLE of Kansas asked and was given permission to extend his own remarks in the RECORD and include a reso-

lution from the board of commissioners of Topeka, Kans.

Mr. REES of Kansas asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

#### AMENDMENT TO THE CONSTITUTION WITH RESPECT TO TREATY RATIFICATION

The SPEAKER pro tempore. Under previous order of the House the gentleman from New Hampshire [Mr. MERROW] is recognized for 25 minutes.

Mr. MERROW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein certain excerpts from editorials and letters in connection with the subject of treaty ratification.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

#### FUNDAMENTAL ISSUE

Mr. MERROW. Mr. Speaker, House Joint Resolution 60, proposing an amendment to the Constitution of the United States relative to the making of treaties, which was debated on the floor last week and on which the House will vote this week, is beyond a doubt one of the most important measures ever to come before this body. The question briefly stated is this: "Shall the House vote to submit to the State legislatures an amendment which when ratified by three-fourths of these bodies will change the Constitution so that a majority of both Houses of Congress will be empowered to validate treaties?" We will vote on whether or not we wish to allow the people through their State legislatures to decide on this proposed change in the treaty-ratifying procedure of the Constitution.

This question is most fundamental. It is as important as the writing of the charter of the United Nations or any issue connected with winning and maintaining the peace. It is fundamental because it deals with the constitutional mechanism by which we approve or disapprove of treaties. Let us be perfectly clear on this point. The charter of the United Nations or the proposals made by Senator Vandenberg or any other plans for building a peaceful world must have legislative approval. Under our system the charter of the United Nations and the treaties following must be ratified by two-thirds of the United States Senate. When the suggested amendment is finally written into the Constitution treaties will be validated by a majority of both Houses of Congress.

We can readily see that this is one of the most significant issues connected with winning the peace. We must decide on the type of constitutional machinery by which we propose to conduct our relations with the nations of this world in the future. It is imperative that we have constitutional procedure to facilitate our dealings with our neighbors in many highly controversial and divergent fields. The constitutional procedure by which we are to operate in foreign affairs goes to the very heart of the questions in connection with the construction of a decent postwar society,

#### OPPORTUNE TIME

It has been stated during the course of this debate that this is not a proper time to discuss this question. I can conceive of no more opportune time than the present moment. The war in Europe is won; the war in the Pacific will, in my opinion, terminate in a much shorter period than many have formerly predicted. The great United Nations Conference in San Francisco is moving to a successful conclusion. The charter for the world organization will soon be written. People around the globe would like to know what the United States actually proposes to do in the field of international cooperation after hostilities cease. It is well that we are debating the proposed amendment at this juncture in world history. We should decide here and now on how we intend to ratify treaties in the future, and decide whether or not we wish to set up the constitutional machinery necessary for the development of a foreign policy of expanding international cooperation.

By acting favorably on the pending resolution, this House will inform the world that we intend to assist in organizing a peaceful society and that we actually propose to maintain our present position of leadership and to use this position of leadership for the construction of a lasting peace. By the adoption of this resolution and the subsequent ratification of the amendment by the States, we will inform all nations that we recognize the impossibility and the utter futility of trying to remain isolated and that in the conduct of foreign affairs we intend in the future to play a responsible part and a much more active part than in the past.

#### THE PEOPLE WISH THE AMENDMENT

I am convinced that the people wish the adoption of this amendment. It is my conviction that the people desire to change the Constitution so that a majority of the entire Congress can validate treaties. Since I have been working for this reform I have received letters from all sections of the United States. An analysis of the communications sent to me on this subject shows that approximately 90 percent of those who have taken the trouble to write favor the amendment. I am inserting in the RECORD a few excerpts from these letters.

Inez Quinn, of Billings, Mont.:

I heard your radio broadcast the other night on the constitutional amendment to change the ratification of treaties from two-thirds vote of the Senate to a majority of both Houses, and must say I heartily approve this amendment and hope you can make it become law—and fast.

I have five baby nephews—who will be just the right age to catch it in the next war—and I don't want any mistake like they made last time staying out of the League of Nations. The United States had better get in there and get her shoulder to the wheel and see that these wars don't happen. Every time I see a newsreel showing what the robot bombs did to England, I wonder just what we were doing over here with our heads stuck in the sand all that time Germany was doing all these things—and Hitler all along telling us he was doing them.

Miss Almira L. Cheney, of Chicago, Ill., wrote in reference to my broadcast of April 17 on treaty ratification:



You made it crystal clear that this unrepresentative situation must cease. If it does not cease, we may well begin to talk about the dictatorship of the Senate.

Miss Jeanne M. Ewing, of Cleveland, Ohio, wrote as follows:

I heartily agree with your stand. It is unthinkable that a small group of Senators should have the power to imperil the future well-being of this Nation and of the world as they did after the last war. Your 13 reasons for abolishing the two-thirds rule are excellent and all-inclusive.

Scott King, of Primghar, Iowa, wrote thus after my broadcast of April 17:

I wish to thank you for your illuminating discussion of this evening upon a subject of momentous importance to our country—and to every individual in it. Not one amendment to the Constitution so far enacted is so vital to our future well-being—or so necessary—as this act you sponsor. To modernize and simplify the treaty-making power of our Government will do much to hasten the establishment of a world peace—politically and economically. And the urgency for the earliest possible action is known to all who are familiar with "another minority group" in the Senate. \* \* \* Thank you, Congressman Merrow; and if you get this before the voters, there is little doubt about the result.

Dr. Ernest M. Hopkins, president of Dartmouth College, stated to me in a letter on this subject:

I have no hesitancy at all in asserting my complete approval and endorsement of the joint resolution which you introduced into the House on January 3, and I am very happy to have the full copy of your speech of November 20, 1944, on this same subject.

Sometimes I have thought that Congress and the administration were no clearer in their own minds as to the distinction between treaties and Executive agreements than was the public at large. \* \* \* However, far beyond this, I think that it is greatly to the public interest to have the situation clarified so that it may be much more easily understood, and, specifically, I think that a constitutional amendment making a ratification possible by a majority vote of both the House and of the Senate would be to the advantage of all world relations.

On April 30 our colleague the gentleman from Texas, Congressman GOSSETT, and on May 1 our colleague the gentleman from Illinois, Congressman SABATH, inserted a letter in the RECORD received from seven representative organizations strongly endorsing the measure.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. I notice the letters which the gentleman just read, particularly the first one, referred to a majority vote of both Houses. Does not the gentleman believe the general public thinks this resolution provides for ratification of treaties by a majority of the membership of both Houses rather than a scant majority which might in some instances be 110 in the House and 49 in the Senate?

Mr. MERROW. I have no expression on that particular point. Some of my correspondence refers to a simple majority. As far as the conception of the public is concerned in reference to the majority of the duly elected Representa-

tives, I cannot give the gentleman anything on that.

Mr. COLE of Missouri. I have letters that came to my desk which refer to a ratification by a majority vote of both Houses. I believe the literature of the League of Women Voters, an organization supporting this movement very vigorously, refers also to a majority vote of both Houses.

Mr. MERROW. Two hundred and eighteen in the House and forty-nine in the Senate.

Mr. COLE of Missouri. Under the resolution as it now stands, in an instance where there is only a quorum of 218 Members present, a treaty could be ratified by a vote of 110 in the House and on the other side of the Capitol by a vote of 25.

Mr. MERROW. The gentleman is correct.

Mr. COLE of Missouri. Does the gentleman know whether or not the public realizes that is what this resolution provides?

Mr. MERROW. I am not certain, but I feel that the public is insisting on a majority vote in both Houses.

Mr. COLE of Missouri. That would be 218 in the House and 49 in the Senate?

Mr. MERROW. If you consider a majority of the duly elected Representatives, yes. I believe the public as they are thinking on this wish to put it on the same basis as the enactment of laws. The distinction that the gentleman has made is one that should be clearly set forth. The correspondence I have received on the subject indicates that the people would like to have a majority of both Houses act on treaties. In the speeches I have made I have not attempted to draw the distinction. I have asked for a majority of a quorum.

Mr. SCHWABE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Missouri.

Mr. SCHWABE of Missouri. Along that line, does the gentleman realize that had only a majority of the entire membership of the Senate been necessary at the time of League of Nations proposition was up for a vote in the Senate, the League of Nations would have passed? The vote was 49 in favor of the League and 35 opposed. Forty-nine would have been a majority of all the Members of the Senate.

Mr. MERROW. I appreciate the gentleman's contribution. This is an important point to keep in mind.

Mr. JONKMAN. Mr. Chairman, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Michigan.

Mr. JONKMAN. May I ask the gentleman who just interrogated the present speaker: That would also be true with the reservations? If they had passed the League of Nations bill with the reservations, would President Wilson have signed it with the reservations? Would he have signed the bill with the reservations? Have you not the same proposition here?

Mr. MERROW. As long as the matter of reservations and amendments has been mentioned, may I say that reservations and amendments are added to

treaties by a majority vote of the Senate. In my opinion, a treaty may be so loaded with reservations and amendments that it would not be acceptable to two-thirds and therefore finally be defeated.

If you are going to amend a treaty and make reservations by a majority, it would seem logical that the final document should be validated by a majority.

Mr. JONKMAN. Along that line, is it not true that you are making parliamentary procedure twice as cumbersome as it is at the present time? In other words, under the proposed amendment only those treaties in which there is a difference of opinion between the executive department and the Congress will it be necessary; is that not true? In other words, where there is agreement it will not make any difference whether you have a two-thirds vote or a majority vote?

Mr. MERROW. Provided the President has two-thirds of the Senate who are willing to go along with him.

Mr. JONKMAN. Supposing that both Houses add on amendments and reservations and they are unacceptable to the President, then you would still have to pass it by two-thirds vote of each House, would you not?

Mr. MERROW. Yes; if you are going to allow the President to veto treaty provisions, but I do not know whether that would be any more difficult than getting two-thirds of the Senate at the present time.

Mr. JONKMAN. The gentleman does not think it would be more difficult to get two-thirds of each House than only one House?

Mr. MERROW. It all depends on what the public wishes. Treaty ratification would be on the same basis then as the enactment of laws.

Mr. JONKMAN. If the House and the Senate overrode the President's veto, then you would be right where you were with the League of Nations. If the President refused to go on, you still would not have any action; is that not true?

Mr. MERROW. If the President had the power to veto treaties and you did not override, that is true. We can discuss the League of Nations from two different angles. Some say that Mr. Wilson was to blame for its defeat; some say it was the Senate. It depends on how you look at it. The League of Nations had many reservations and amendments. There are those who feel that Mr. Wilson caused its defeat by instructing Democrats to vote against it. Yet, on the other hand, you can argue that those who put on the reservations and amendments caused it to be defeated, because the final document was unacceptable.

Mr. JONKMAN. As a final question, may I ask the gentleman this? Is it not true that the only thing you are accomplishing by this amendment is to give the House the privilege to pass on treaties, and that you will not facilitate the making of treaties that is now occasioned by the two-thirds rule?

Mr. MERROW. No; I do not think so. We will by the adoption of this amendment, give the House a voice in treating making. Thus you allow treaties to be placed on the same basis as the passage

of a statute and you facilitate the making of treaties. We would go into the postwar period with the ability to do something constructive. As far as treaties are concerned, our action in my opinion has been mostly negative. We would accomplish more than giving the House a voice in treaty making. We would facilitate the adoption of treaties by allowing the majority of both Houses to decide.

Mr. SHAFER. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Michigan.

Mr. SHAFER. If this is to facilitate the making of treaties, and so forth, why did they adopt the two-thirds rule at the Dumbarton Oaks Conference? Can the gentleman explain that?

Mr. MERROW. The gentleman may not agree to this explanation, but I think Dumbarton Oaks should be considered as a matter by itself. I do not think that because an extraordinary majority required in the Dumbarton Oaks proposals that this is any reason for continuing a procedure which, over a period of years, has been shown to be outmoded and antiquated.

Mr. SHAFER. It is true, is it not, if a majority vote would facilitate one action, it would facilitate another?

Mr. MERROW. Not necessarily. That does not follow. It depends on whether or not the situations are analogous.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel that if the House approved a treaty it would carry a good deal of weight with the President? The House is much closer to the districts, to the people of the country, than are the Members of the Senate.

Mr. MERROW. Yes; I think so.

Mrs. ROGERS of Massachusetts. It is more the voice of the people.

Mr. MERROW. It would place a definite responsibility on the people. You would have direct responsibility as far as the people are concerned.

Mrs. ROGERS of Massachusetts. It would be educational, then, in a way?

Mr. MERROW. Yes; it would.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Tennessee.

Mr. PRIEST. Just as I came into the Chamber I understood that the colloquy at that time taking place between the distinguished gentleman from Michigan and the gentleman from New Hampshire had something to do with the question of the President vetoing a treaty that might have been approved by the House and the Senate. We will say it might have been approved by a two-thirds vote if a change had taken place making that in order.

As I understand, there is no veto of a treaty. The President takes the initiative as the Chief Executive in negotiating a treaty and then submits it for approval, but it does not follow the legislative procedure from that point on. In other

words, it might be approved, but there would be no veto insofar as the handling of the treaty is concerned.

Mr. MERROW. I thank the gentleman for his contribution. It might have been assumed that if we put treaty ratification on the same basis as statutory law the President could veto it, but that would necessitate an amendment, would it not?

Mr. PRIEST. I would think so, because the situation with reference to the statutory law there is not analogous at all. The President has his say on a treaty before it is submitted to the legislative body. The legislative body has its say and takes its position and its action on a law before it goes to the President. I do not believe the two situations are at all analogous.

Mr. SHAFER. In other words, the gentleman means to say there would simply be nonaction.

Mr. PRIEST. Nonaction, perhaps.

Mr. SHAFER. There would not be any concurrence, and you just would not get anywhere.

Mr. PRIEST. Perhaps so, but there would not be a veto.

Mr. FELLOWS. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Maine.

Mr. FELLOWS. I understood the gentleman to place a statute in the same category as a treaty. I do not understand that that is true.

Mr. MERROW. Perhaps I should say this. I would place the making of a treaty on the same basis as the enactment of a Federal statute. That is my position.

Mr. FELLOWS. I do not quite understand that, because they are not the same.

Mr. MERROW. We enact laws by a majority of both Houses. I would validate treaties by a majority of both Houses.

Mr. FELLOWS. But if the President vetoes a bill, then you pass it by a two-thirds vote.

Mr. MERROW. That is right.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Michigan.

Mr. RABAUT. The last speaker said something about the President vetoing a treaty. If a treaty is changed, and that would be the reason for a veto, it would have to be agreed to by the other contracting party to the treaty or there would be no treaty. There would not be any occasion for the President to veto.

Mr. FELLOWS. That is what I am saying. You cannot say this is the same kind of a procedure at all. The treaty is the supreme law of the land. I say you cannot use that analogy. It is not the same as the passage of a statute in any sense of the word.

Mr. RABAUT. The gentleman is right.

Mr. FELLOWS. If the statute is not liked, it can be repealed. If a treaty is entered into, who is going for a moment to think of our body here repealing or abrogating a treaty, even though the Supreme Court has perhaps said you could do that?

Mr. RABAUT. If it is changed, it has to be agreed to by the other contracting party.

Mr. MERROW. May I say in connection with the passage of Federal statutes the Supreme Court has held that a Federal statute abrogating any part of a treaty overrules the treaty. Of course, if a Federal statute destroys any international obligation we get into difficulties internationally. But as far as the provisions of a treaty are concerned, if we pass by a majority of both Houses an act that would abrogate parts of that treaty, that statute takes precedence over the treaty.

Mr. SCHWABE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Missouri.

Mr. SCHWABE of Missouri. Speaking of the apparent difference between a regular congressional enactment and a treaty, it seems to me we have overlooked one of the greatest differences from a practical standpoint. This country is the only great Nation that has a two-thirds vote requirement for the ratification of treaties.

Mr. MERROW. May I add that only Guatemala and Liberia are the only countries that have seen fit to follow that provision of our Constitution.

Mr. SCHWABE of Missouri. Is it not also true that this Nation is unique in that it is the only great power that has a two-party system of government? When we pass a law in this body and the Senate, and it is passed by, say, 51 percent of the votes, it is easy enough for the Administration to get that bill through because perhaps 55 or 60 percent of the Members are of the same party as the President. However, in a few years from now there might be an administration of a different political complexion. We could easily adjust ourselves to the shift in sentiment if it were a regular congressional enactment because that would have to do only with the people in this country. In the case of a treaty where another nation is involved, it seems to me if we only require a simple majority of those present to ratify a treaty, we have in a sense denied the minority of their rights because a treaty lasts for a much longer period of time than the average regular congressional enactment. It seems to me there is a vast difference. I am just as interested in guarding against ill-advised and too quickly considered treaties or contracts with other nations as I am with regard to streamlining treaty-making. To me, it is a bit repulsive to think of streamlining the treaty-making machinery of a deliberative body.

Mr. MERROW. The President takes the initiative in foreign affairs and the President and his party are responsible. Rarely does a President have two-thirds of the Senate in his own party. So far as I personally am concerned, I would like to have the President, whether he be a Republican or a Democrat, and the party he has with him in this Congress be responsible for decisions in international affairs. I would not be disturbed if the President and his party with a majority here in this House and with a majority



in the Senate, had the power to ratify treaties.

Mr. SCHWABE of Missouri. But the essence of our form of government is that we do protect minorities. This is a republican form of government. Treaties last so much longer and have to do with other nations as well as our own, and it seems to me it is necessary to have an overwhelming majority of the representatives of the people favor a resolution when it comes to the matter of treaty making.

Mr. MERROW. I agree with the gentleman in that respect 100 percent. But I am of the opinion that a majority of the House and the Senate would better reflect public opinion than one-third of the Senate or even two-thirds of the Senate.

Mr. TOLAN. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. TOLAN. I think the gentleman has been very generous in yielding. May I make one observation? Of course, the framers of the Constitution wisely knew that there would be changed conditions and thus they provided for amendments. Article V of the Constitution says before any amendment can be submitted to the legislatures two-thirds of the House has to vote on it and consent to it as well as the Senate. This is the point I want to make: Can you conceive of any amendment to the Constitution any more important than the ratification of this peace treaty after this most terrible war? And, further, the next war would probably mean the doom of civilization. Do you not think it is just as important for us to have something to say about that treaty ratification?

Mr. MERROW. That is my opinion. I conceive of no amendment any more important. I do not think there has been one in the past or that there will be one in the future of greater significance. Furthermore, I think this is the most opportune time to debate the issue. I believe regardless of how we feel we should present this to the people for a decision.

Mr. LEWIS. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I am glad to yield to the gentleman.

Mr. LEWIS. With reference to the observation of the gentleman from New York, may I ask whether the gentleman believes that whatever we do here toward amending the Constitution will become effective before we have to ratify whatever is done at San Francisco? Personally, I doubt if what we are doing here will have any effect whatsoever on the ratification of that treaty. I am thoroughly in accord with the gentleman's position, but I believe we ought not to be misled into thinking that whatever we do here is going to have any effect whatsoever on the ratification of the San Francisco Treaty.

Mr. MERROW. I am glad the gentleman has made that point. I will discuss this at some length in the remarks which are to follow. The argument that the proposed amendment cannot be acted on in time to have any bearing on the charter written at San Francisco is

not an argument for not passing the measure we are discussing. Furthermore, if we were willing to act, this House could submit this amendment by passing this resolution tomorrow. If the Senate were willing to act, it could pass the resolution within a week, and the State legislatures would have the question before them within 2 weeks. I am convinced that the New Hampshire State Legislature would validate the amendment at once if it were before them for consideration.

Mr. LEWIS. Pursuing the matter just a little further, most of the State legislatures that have been in session this year have either adjourned or are on the point of adjournment. The Legislature of my own State at Columbus, Ohio, is about to adjourn. I do not believe anything we do here can be submitted under 2 years to the Legislature of Ohio, unless that legislature should be called in special session for the purpose.

Mr. MERROW. Does the gentleman admit, that if we would heed the voice of the people and actually wanted to present this to the people, that the Congress could do it in a very short time?

Mr. LEWIS. By calling special sessions of the State legislatures, yes.

Mr. MERROW. Yes. This Congress could present it at once if it wished to. We could present it this week.

Mr. LEWIS. You mean to the legislatures?

Mr. MERROW. To the legislatures, yes. Then the legislatures could be called into special sessions.

Mr. LEWIS. But what I am interested in is that it raises the stature of the House equal to the stature of the United States Senate. I cannot see why any man who is a Member of this House would not be willing to trust the membership of this House equally as he would trust the membership of the Senate of the United States. That is nothing to the derogation of the Senate of the United States. We all know there are Members of this House who have been Members of the United States Senate. Many of the present Members of the United States Senate have previously been Members of this House.

Mr. BREHM. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. BREHM. You mean trust the House on a two-thirds majority? We do not trust the Senate with but a bare majority on treaties.

Mr. LEWIS. Of course, I cannot see the purpose of the two-thirds majority myself.

Mr. MERROW. I think it would be infinitely better, if we cannot have the House involved, to have a majority of the Senate.

Mr. BREHM. I appreciate the sincerity and the earnestness of the gentleman from New Hampshire [Mr. Merrow]. He has presented some sound arguments in favor of this proposition. The other day the gentleman from Missouri [Mr. Schwabe], made a point which stands out in my mind as one of the most pertinent points made in this entire debate, wherein he said, "Now you folks are complaining that a minority

in the Senate can block treaties. Is it any more dangerous to have a one-third minority block passage of a treaty than it is to have bare majority of one ratify a treaty and perhaps commit us to things away beyond our power to fulfill?" I think that is a good point.

Mr. MERROW. If we had a bare majority of duly elected Representatives, you might have a situation where one person would decide. If you have majority rule you often have that condition arising. I refer to the extension of the Selective Service and Training Act back in 1941, when the vote was 203 to 202. A majority of one person made possible the passage of that important act.

Mr. LEWIS. Will the gentleman yield further?

Mr. MERROW. I yield.

Mr. LEWIS. Just pursuing this matter a little further, is the gentleman willing to accept the amendment suggested by the gentleman from Missouri [Mr. Schwabe], to require ratification of treaties by a majority of those elected to both Houses of Congress and not by a mere majority of a quorum?

Mr. MERROW. I prefer the resolution as it is, but I think that is a fair compromise. I think it is infinitely better than the present system. It would do two things. First, the House would have a voice in treaty making, and second, it would prevent a minority of the Senate blocking treaties. It would give better representation as far as the people are concerned. The amendment suggested by the gentleman and others, is infinitely better than the plan we have at the present time.

Mr. LEWIS. I agree and I hope the suggestion of the gentleman from Missouri [Mr. Schwabe], if it is offered in the form of an amendment, will be accepted.

Mr. MERROW. I thank the gentleman.

Mr. BREHM. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. BREHM. I believe the 2 days' debate on this resolution has done one thing for this House which has been very salutary. It has brought out a degree of statesmanship which in my humble opinion has been lacking in so much of the discussion that goes on in the well of the House. I can recall several bills, for instance, the soldiers'-vote bill, the so-called work-or-fight bill, the nurses'-draft bill, and so forth, those bills did not present any statesmanship, so it has been proved that statesmanship does exist, and I think it has come to the front insofar as action on this legislation is concerned.

I am very sincere when I say I do not think anything will ever come of this resolution, but it has proved that statesmanship does exist in this body, and, therefore, it was good that it was considered, for that reason if for no other.

Mr. MERROW. I appreciate the gentleman's statement. I cannot agree that this will never amount to anything. Perhaps this is just the beginning of a long fight. It may take 10 or 15 years, but the people, in my opinion, will insist that we change the present system.

Does the gentleman from Iowa still wish me to yield?

Mr. GWYNNE of Iowa. I believe the gentleman answered what I had in mind, but what has the gentleman to say about the amendment which would require a two-thirds vote of both Houses?

Mr. MERROW. I would be definitely opposed to that. Such a requirement would make it much more difficult to ratify a treaty. There would have to be two-thirds of the House as well as two-thirds of the Senate in favor of it; you would just make it that much more difficult. I would be opposed to that.

Mr. GWYNNE of Iowa. Mr. Speaker, will the gentleman yield further?

Mr. MERROW. I yield.

Mr. GWYNNE of Iowa. What does the gentleman think of the two-thirds requirement for amending the Constitution?

Mr. MERROW. I am inclined to think that the other two-thirds provisions should be debated and decided on the merits of each individual case. It is entirely possible that we should make other changes in the Constitution.

Mr. GWYNNE of Iowa. What does the gentleman think of the two-thirds provisions in the Dumbarton Oaks Proposal? They require a two-thirds majority on a number of questions.

Mr. MERROW. Yes; in that case the representatives from the nations are acting as representatives of sovereign states, whereas in the matter of treaty ratification the Senators are voting not as the representatives of sovereign states. I say again that in my own thinking concerning the Dumbarton Oaks Proposals the provisions have not much bearing on this particular proposition we are discussing.

As time goes on I would expect that the charter of the United Nations might have to be amended to meet changing conditions.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. PRIEST. I hesitate to impose on the gentleman's time any further, but in line with the question asked by the distinguished gentleman from Iowa and the answer given by the gentleman from New Hampshire, it seems to me that that goes to the very bedrock of the whole background of the question now before us. If we agree that the two-thirds provision in the Dumbarton Oaks charter is a logical one, and use it as an analogy to the present situation, then we agree today that we ratify treaties by States rather than by the people of the United States. Under the articles of confederation they voted by States; each State had one vote, and it took nine votes to do many things that we do now in Congress by a majority. It seems to me that if we use Dumbarton Oaks as an illustration we admit at the same time that today we ratify treaties by States rather than by the people's representatives. I believe there is no actual basis of comparison there.

Mr. MERROW. I appreciate the gentleman's comment, and I am glad to see so much interest in this important question. I hope no Member will have any hesitancy in asking me to yield if he has

anything to say. This probably is the most vital issue we will be called upon to decide in many months. It should be decided most carefully.

Some time ago I placed in the RECORD a resolution from the American Federation of Women's Clubs in approval of the amendment under discussion. On April 23, 1945, Congressman RAMEY, of Toledo, inserted in the RECORD a resolution adopted by the Toledo Bar Association in favor of majority rule in treaty making. I mention the letters and the resolutions to emphasize how strongly public opinion endorses this action.

Many outstanding newspapers through their editorial columns have voiced approval of immediate action by Congress in submitting the treaty amendment to the States. The New York Times as recently as May 3 used these words:

The historical reasons for adopting the present constitutional system of treaty approval have long ceased to exist. The present provision for treaty approval is both undemocratic and illogical. It is undemocratic because it permits a minority to block a majority in the making of peace. It is illogical because it permits a simple majority of the House and Senate to make war, while it requires two-thirds of the Senate to make peace. So far as the Senate is concerned, it is harder to make peace than to make war.

The Washington Post in an editorial on the same day employed the following sentences:

The greatest danger to the Nation nowadays seems to arise, moreover, not from inept treaties but from a failure to exercise this vast power constructively in the cause of world peace. The inescapable fact is that the United States will not be able to take its rightful place in the organization to keep the peace now being set up at San Francisco unless it can exercise the treaty power free from a minority veto.

The Free Press of Detroit, Mich., on November 27, 1944, stated:

Logic and sense support an end to the two-thirds Senate treaty rule. A simple majority of both Houses is sufficient to declare war. It is the democratic way that the same device be used to bring wars to a close. It is sound statesmanship to permit the lower House to share in this power. Its membership, standing for reelection every 2 years, is closer and more susceptible to popular sentiment than the Senate. As it is now, 33 Senators can block what might be the clear wishes of the other 498 Members of Congress and the overwhelming wish of the whole people. Instead of the time being unpropitious for a constitutional amendment, it may well be that the time was never more propitious. Certainly, with all the infinity of international agreements that eventually will be submitted for sanction or rejection, the need for a more democratic instrument was never more evident.

An editorial from the Sun, Chicago, Ill., of December 3, 1944:

It is impossible to make out a case on the basis of democracy or efficiency in the conduct of our foreign affairs for the constitutional provision which requires a two-thirds Senate majority for the ratification of treaties.

Strongest public support, accordingly, should go to the resolution unanimously adopted last week by a House Judiciary subcommittee for submission of a constitutional amendment on this vital matter to the States.

The proposed amendment would provide for treaty ratification by simple majority of both Houses of Congress present and vot-

ing. Until such an amendment is adopted, the American people will be gravely handicapped in building the peace. We may be able to enter the forthcoming world organization on an adequate basis without it, but entering the organization will by no means end the need for an American treaty-making system that frees the majority of our people from the "verboten" of a minority.

From the Post-Star of Glens Falls, N. Y., of November 18, 1944:

The real issue at stake is that America has elected to be governed by the will of the majority and this principle should extend to all things, including treaty making. In this matter the Constitution clearly violates its own precepts. The Constitution belongs to the people. It is theirs to change if they see fit. No excuse is sufficient to justify denying them that right and the Congress should give them the opportunity to voice their opinion by putting the amendment before the States.

From the Times-Dispatch of Richmond, Va., of January 2, 1945:

The constitutional provision requiring ratification by two-thirds of the Senators has been a stumbling block in the way of sensible international arrangements almost throughout our history. It was adopted when there were only 13 States, and the 26 Senators representing them were thought of as a sort of privy council which would advise with the President on foreign affairs. Matters have turned out very differently, with the result that it has become almost impossible to secure ratification of any far-reaching treaty.

This notorious fact has been bitterly deplored by many of our ablest statesmen, including the Republican, John Hay, one of our most distinguished Secretaries of State. They have pointed out that even when popular sentiment for a treaty is overwhelming, there is no assurance whatever that two-thirds of the Senate will back it. Special interests of one sort or another have almost invariably been able to stir up opposition from at least one-third of the Senators. A majority of both branches can declare war, but for no good reason at all, it takes two-thirds of the Senate to declare peace. How much longer are we going to put up with this absurd state of affairs?

From the Star Journal of Minneapolis, Minn., of November 17, 1944:

The United States treaty-making machinery once again is under scrutiny as the day approaches for determining American participation in a world organization for peace.

While the United States failure to join the League of Nations was not the sole cause of the League's failure—it is doubtful that it was even one of the major causes—the fact remains that a small Senate minority kept us from joining in that effort to avoid another war. The fact that we are now fighting again proves that we cannot escape being enmeshed in world conflicts merely by staying out of a league. By staying out we do not help; at best we can refrain from hindering.

Faced again with the possibility that a minority may block the peaceful will of the majority, some of our more progressive thinkers are urging a modification of the Senate's treaty-making powers to do away with the necessity for a two-thirds vote on ratification.

Outstanding leaders of public opinion have been urging this reform. In a statement on the subject Mr. Nicholas Murray Butler, of Columbia, used the following words:

There is one important change which the people of the United States must make in



their Constitution without delay. Treaties should be ratified as statutes are enacted, by a majority vote in each of the two Houses of Congress. There is no more important question than this before the country at the present moment. To effect this vitally important change, the pending amendment to the Federal Constitution should be adopted by the people without delay. Otherwise, no can foretell what damage may be done to the public welfare, both national and international.

When hearings were held before the Judiciary Committee on this question the witnesses who spoke were practically unanimous in the belief that this change should be made. You are familiar with the hearings conducted by the Judiciary Committee and know that the leaders of public opinion who appeared on the proposed amendment urged strongly immediate action upon this much needed reform.

It has been my privilege to address various audiences on the subject of treaty ratification. Last January I spoke before the Foreign Policy Association in Philadelphia. The reaction of that audience was overwhelmingly in favor of doing away with the two-thirds rule. Last Friday evening I addressed the Men's Club of the First Congregational Church in the city of Toledo, Ohio. The issue was discussed freely. Not one voice was raised in opposition to the amendment. The Legislature of New Hampshire—in this connection may I say that with a house of approximately 400 members, my State holds the distinction of possessing the large State legislature in the country—adopted unanimously a resolution requesting that Congress present the proposed amendment to the States. The legislature in the "Granite State" would welcome the opportunity to be the first to ratify this proposed change in the Constitution.

The American Institute of Public Opinion under the direction of Dr. George Gallup has conducted three polls on this question. The results of the first were released on October 13, 1943; of the second, May 17, 1944, and the third, January 7, 1945. On January 6, 1945, Dr. Gallup stated:

Majority public opinion in the United States is ready to accept a major reform in the method of ratifying peace treaties, judging by the evidence of a survey just completed by the Institute.

The opinion is shown in response to the following question: "When the war is over, it will be necessary for the Allies to decide on peace terms for the Axis. Which one of these three ways would you, personally, favor as the best way to have peace treaties approved after the war?"

The three alternatives given the voters were approval by the President only, approval by the President and a majority of the whole Congress, or approval by the President and two-thirds of the Senate, which is the present method.

The trend of opinion follows:

	October 1943	May 1944	January 1945
	Percent	Percent	Percent
President only.....	7	7	8
President and majority of whole Congress.....	14	60	58
President and two-thirds of Senate.....	25	19	22
Do not know.....	14	14	12

I wish to emphasize that in the poll of October 1943, 54 percent of the people favored the proposed amendment, as against 25 percent for the two-thirds rule—over two to one. In the poll of May 1944, 60 percent favored the proposed amendment, as against 19 percent for the two-thirds rule—over three to one. In the poll of January 8, 1945, 58 percent favored the proposed amendment as against 22 percent for the two-thirds rule—over two to one. From these figures it is perfectly clear that only a small minority of our people favor the two-thirds rule. I will go as far as to predict that when this question is clearly presented to the entire citizenry of the country the percentage of people in favor of the proposed change to allow both Houses of Congress to ratify treaties by majority vote will be overwhelming. It is my studied opinion that if the Congress refuses to give the people of this country an opportunity to pass upon this amendment through their State legislatures we will be defying the wishes of those we represent and we will be held to strict accountability for our action.

#### NOT IN TIME FOR SAN FRANCISCO

It has been repeatedly stated during the past week that no matter what we do on this resolution the Constitution cannot be amended in time to have any bearing upon the ratification of the charter of the United Nations which will come from the Conference at San Francisco. It appears to me that this argument is advanced by the opponents to the reform who wish to secure as much delay as possible. If the Congress has no desire to block action by the public, if the Congress is perfectly willing to give the people an opportunity to act, this is what would happen. The House would vote overwhelmingly for the measure under discussion. The Senate would take it up immediately, and within a few days vote to submit the amendment to the State legislatures. Yes; if the Congress would heed the voice of the public, this matter would be before the State legislatures within a week, and were this done, I feel certain that the people would write the amendment into the Constitution within a few months. Let us not use the statement that we cannot effect this change in time for San Francisco just as a reason for excusing an unwillingness to pass the measure.

Even though we admit, for the sake of argument, that the proposed amendment cannot become a part of the Constitution in time to have effect on the charter of the United Nations, this is no argument for retaining the two-thirds rule. Many treaties and agreements implementing and supplementing the charter of the United Nations must be agreed upon if we are to have permanent peace. During the next two decades we will be called upon to validate many treaties in the development of a foreign policy designed to preserve the peace. The charter of the United Nations will be but a beginning. We must change our constitutional machinery for the approval of treaties if we are to erect on the charter of the United Nations a structure of international security and peace.

#### TREATIES OF THE FUTURE

It is impossible to predict whether particular international agreements in the future will take a form which can be appropriately handled by executive agreement or whether treaty action will be required. However, various subjects will may be dealt with in international agreements and which may require treaty action can be indicated. A partial list is as follows:

1. Treaties of establishment which concern the rights of nationals, corporations, and other associations in one country to live in and perform other activities in another country.
2. Treaties of commerce and navigation dealing with the rights of the nationals of one country to carry on trade and other activities with those of another country.
3. The Civil Aviation Convention now before the Senate for ratification as a treaty, and future treaties with respect to civil aviation which may arise out of this convention.
4. In the field of shipping, there may be treaties concerning:
  - (a) safety of life at sea;
  - (b) load line. The present treaties on this subject have been suspended during the war and may require revision and renegotiation in the light of the situation after the war.
  - (c) Other shipping matters.
5. The International Labor Office may propose treaties in the field of labor.
6. With respect to telecommunications, existing treaties may have to be revised and new ones made in view of advances in the art, as well as changes brought about by the war.
7. There may be treaties proposed which deal with education.
8. Treaties of extradition.
9. Treaties relating to traffic in narcotic drugs.
10. Exchange of publications.
11. Possible future actions with respect to freedom of the press and other forms of communication.
12. Fisheries and whaling.
13. Double taxation.
14. In the broad field of commercial policy, treaties may be required covering various matters, such as:
  - (a) the elimination of trade barriers;
  - (b) special commodity arrangements;
  - (c) cartels and monopolies.

#### A FUTILE GESTURE?

The opponents of House Joint Resolution 60 have repeatedly stated that to debate and to act on this resolution is just a futile gesture on the part of the House and that the Senate will do nothing. This is no reason for failing to do our duty. This is no argument for refusing to represent the people. This is no reason for the House not acting. This change must and will come. How can anyone be sure that the Senate will not act? Even though the Judiciary Committee of the Senate has indicated that it will not report any constitutional amendments for the duration, the other body will not, I am sure, forever defy public opinion. Senators, too, must be elected. Congress will ultimately do as the people wish. This issue may be carried into many election contests in the future. For a long time the people have been fighting for this reform and they will not cease fighting until the needed reform is made.

I believe that this House should act regardless of any anticipated move by the Senate. Are we going to be afraid to do what the people wish just because

of a stand by a committee of the other branch of this Congress? As far as not reporting any amendments to the Constitution for the duration is concerned, it would be, in my thinking, just as reasonable to say that we will suspend the enactment of statutes until the boys get home. We have been elected to legislate. We have been sent here to pass upon important questions affecting the welfare of the Nation. Our fighting men are doing their duty on the many battle fronts of this world. They are winning great military and naval victories. It is for us to win the peace and devise the constitutional machinery by which the peace can be maintained. I feel that those who are fighting on the battlefields expect us as legislators to act, expect us to render decisions on the matters that are before us, and not say that we will wait for the duration before doing anything about these vital questions. Regardless of what the Senate may, or may not do, we should listen to the voice of the country and act favorably on this resolution.

#### REASONS FOR INSERTING THE TWO-THIRDS RULE NO LONGER EXIST

Let it be emphasized that there is no political theory underlying the two-thirds rule and that the reasons for including it in the Constitution do not now exist. The Articles of Confederation are no longer in the immediate background. The jealousies and suspicions which caused the insertion of this rule have long since disappeared. The Senate is much larger than the fathers anticipated. Consequently, secrecy does not prevail. The Senate never did advise and consult with the President. State sovereignty, all-important at the time of the writing of the Constitution, is not prominent at the present hour. A fair and impartial consideration of the historical aspects of this question leads one to the conclusion that the reasons motivating the writers of the Constitution to insert the two-thirds rule have long since disappeared. This is the only great country with such an encumbering provision on the execution of its foreign policy. The nations of the world who have copied many features of our Constitution have never seen fit to employ the two-thirds rule. It cannot be established that the fathers were motivated by any political theory of government in the writing of this provision.

#### THE TWO-THIRDS ARGUMENT

In the course of this debate many have cited the two-thirds provision in reference to other matters and have indicated that because the President's veto must be overridden by a two-thirds vote of Congress and because we require a unanimous verdict by juries and because a two-thirds vote is necessary for impeachment, and so on, that the two-thirds rule in reference to treaty ratification should be continued.

Let us analyze this method of reasoning. I have stated, and I still maintain, that these cases are not analogous to treaty making, and therefore have no bearing on the consideration of this subject. Concerning the President's veto, William Y. Elliott, former chairman of the School of Government, Harvard Uni-

versity, in a statement before the Committee on the Judiciary, said:

As you know, sir, a veto by the President of an act passed by Congress indicates, after all, a division of opinion between the Executive and the Congress on a legislative matter on which both, by the Constitution, are entitled to have a view, the President by his veto. The practice, of course, under the party system, is that the President is a leader in the formulation of policy.

Treaty-making power, on the other hand, is something in which the President, the only officer elected, along with the Vice President, by a national vote of all the people, is asking agreement of another body of the Government. He is asking for it in terms of supporting something he is doing. He is not vetoing something the other body has done; he is asking for support of what he is doing. Therefore, the minority provision that is holding up ratification of a treaty is in effect the veto power by a very slight minority of the Government.

It is not an affirmation and repassing of something over a veto. Let us get that distinct. What happens is that a veto stops an act passed by an ordinary majority of Congress. There is, therefore, a difference of opinion between the two. Now, in order to get that repassed over the veto, the President has to get it repassed by a two-thirds majority of the Senate and of the House, because there has been a difference of opinion between the two parties.

The Senate, on the other hand, can block the President from acting in this matter by a simple one-third power of the most unrepresentative body in the world from the point of population. That is an extraordinary situation.

As far as unanimous verdict by jury is concerned and the impeachment of a President, these matters are entirely different from treaty ratification. Juries hear evidence in cases presented to them. In treaty ratification the President presents a proposition on international affairs to the Senate. The Senate makes amendments and reservations by a majority and then proceeds to apply the two-thirds rule when final ratification is voted upon. The assertion that since more than a majority is required in certain other situations, therefore we should require an extraordinary vote in treaty making is without substantial foundation.

#### IMPORTANCE OF TREATIES

We have heard a great deal about the importance of treaties and because of their importance we must hold to the two-thirds rule. The argument from the standpoint of importance falls by its own weight. There certainly is nothing more important than declaring war and yet we do that by a majority. We write the legislation necessary to carry out the provisions of a treaty by a majority, certainly there is nothing more important than spending the people's money and we appropriate billions and billions and still more billions by a majority. As important as treaties may be we abrogate them by a majority vote. Charles K. Burdick, professor of law at Cornell University, in the book *The Law of the American Constitution*, states:

If a treaty may supersede a Federal statute, it follows conversely that a Federal statute may abrogate the provisions of a treaty. This has been repeatedly determined by the Supreme Court. The result of such action is to replace the treaty provisions by the statute as the law of the land,

but the international obligation created by the treaty still exists, and its nonfulfillment may, of course, lead to international complications.

It is certain that failure to act by the Congress in taking appropriate steps to carry out a treaty can destroy the instrument and it is logical that the same agencies that can destroy should have the power to ratify. It can well be said that the matter of making treaties is so important that we cannot afford to exclude the House from the process of treaty ratification.

#### THE SENATE'S RECORD

Mathematical statements have been made in respect to the treaties the Senate has acted upon or has failed to act upon, but mathematical considerations do not tell the whole story. In connection with this important point I wish to reemphasize the fact that peace treaties and treaties of arbitration have suffered greatly at the hands of the Senate. Dr. Frank M. Russell, of the University of California has stated:

It has been pointed out by defenders of this provision of the Constitution that over the whole course of our history the Senate has actually rejected few treaties, and the number that it has amended has not been considerable. That is true, but the whole story cannot be told in terms of mathematics. In recent decades, certainly, the most important treaties from the point of view of building an economically and politically integrated and peaceful world—the only kind of world in which our safety and prosperity can be promoted—are the ones that have suffered emasculation or mutilation, if not actual rejection at the hands of a minority of isolationists in the Senate.

The mathematical statement of what the Senate has done to treaties does not in any way tell the whole story. We must take into consideration the type of treaty which has been rejected or mutilated.

Nearly 45 years ago the weakness of our system of treaty ratification was recognized by the Nation. Commenting on this subject December 20, 1900, the following words were used:

The United States is rapidly coming to be regarded by the other Great Powers as a Nation which is not able to make a treaty. We have been trying to conclude important international agreements during the past 15 years, but have seen one after another of them go to wreck in the Senate. It is needless to enumerate the long and melancholy list. Whether the President was Cleveland or Harrison or McKinley, whether the negotiators were Democratic or Republican the power of the Senate to ratify treaties has been mainly exercised as to the power to kill treaties. Three valuable conventions with Great Britain have been broken on the Senate's veto. The Chief of State has made treaties with France and Germany, but the Senate has said with a sneer, "They reckon ill who leave me out," and has brought the whole work to the ground. With or without intention, we seem to the world to have stripped ourselves of a leading attribute of sovereignty—the power to make treaties.

That the result is badly to impair our national prestige admits of no question. Already foreign writers on government and international relations are beginning to say that it is absolutely worth no country's while to attempt to make a treaty with the United States. The President may be conciliatory, the Secretary of State may be willing to agree,



but there is always the intractable Senate to say us nay; so what is the use? This is a most humiliating thing to be truthfully said of a great nation. It leaves us in a contemptible position.

In a newly hatched and loudly cackling world power the inability to make a treaty is little short of ludicrous. To be a world power means at least to meet other powerful nations on equal terms. It is, indeed, an essential function of world powers to make agreements with each other for their reciprocal advantage and for the peace of the world. But here we are, thrusting ourselves into the company of the Great Powers, and at the same time confessing that we cannot bear ourselves as a great power should.

I want to make it perfectly clear that in my discussion of this subject I have no intention of criticizing even by implication any Member of the Senate past or present. I am opposing a system which makes impossible our constructive leadership in international affairs. I thoroughly believe that the Senate should be much more interested in this amendment than is the House. Were this amendment adopted its position would be greatly strengthened because the will of a majority of its Members could be exercised. Action would be positive not negative, constructive not obstructive. The majority would then rule, the minority could not block.

#### MAJORITY RULE

Wallace McClure in his book *International Executive Agreements* has said:

In democratic voting one more than one-half must be decisive; otherwise the minority rules the majority. The constitutional authorization for the President to enter into treaties, provided the Senate by a two-to-one vote acquiesces, is, accordingly, not democratic. The burden of proof is on him who contends that it is not inconsistent with a system of democratic government. In practice, no less than in theory, it has become an anachronism. To allow the votes of the opposition to count twice as heavily as those for affirmation places upon international collaboration a handicap that history has shown to be dangerous to the public welfare.

Treaty making should be on the same basis as statutory law. We adopted the lend-lease measure by a majority vote. This program has proved to be as important as anything which could be done by a treaty. It ought to be easier to make treaties instead of more difficult. It is so difficult at the present time that the total result is a do-nothing policy. During the course of the debates it has been pointed out that Congress can terminate a war by a majority vote. This statement confuses the issue. Certainly no one contends that the treaties which must be formulated—treaties on which the peace is to be erected—can be made without two-thirds approval of the Senate. Even though Congress can by a resolution declare the peace, in the broader sense, peace cannot be made by the majority.

#### ISOLATIONISM NO LONGER POSSIBLE

One of the strongest reasons for adopting this resolution is the fact that isolationism is dead and we must in the future take a more active part in international affairs. This we cannot do unless we have the machinery for a quick review, approval and disapproval of treaties and agreements. We cannot have a flexible foreign policy unless we con-

struct more efficient constitutional machinery for making peace.

President William McKinley of Ohio, who once served in this House, displayed an almost unbelievable ability to prophesy in his last speech made in 1901 in Buffalo. So pertinent are his remarks that I am including them in this speech:

After all, how near one to the other is every part of the world! Modern inventions have brought into close relation widely separated peoples and made them better acquainted. Geographic and political divisions will continue to exist, but distances have been effaced. Swift ships and fast trains are becoming cosmopolitan. They invade fields which a few years ago were impenetrable. The world's products are exchanged as never before, and with increasing transportation facilities come increasing knowledge and larger trade. Prices are fixed with mathematical precision by supply and demand. The world's selling prices are regulated by market and crop reports. We travel greater distances in a shorter space of time and with more ease than was ever dreamed of by the fathers. Isolation is no longer possible or desirable. The same important news is read, though in different languages, the same day in all Christendom. The telegraph keeps us advised of what is occurring everywhere, and the press foreshadows, with more or less accuracy, the plans and purposes of the nations. Market prices of products and of securities are hourly known in every commercial mart, and the investments of the people extend beyond their own national boundaries into the remotest parts of the earth.

I believe that if William McKinley were serving in this House today he would be one of the strongest advocates for this change.

#### RESPONSIBILITY

If this resolution is defeated in the House we must bear the awful responsibility of denying to the people of this country an opportunity to express their voice through their legislatures on this amendment. This responsibility is made all the greater because of the popular demand for this reform. If this resolution is not passed we take the responsibility of saying that the people's Representatives, elected every 2 years, should not have a voice in making treaties and that our foreign policy should be dictated by 33 Members out of 531 Members of this Congress elected to represent 130,000,000 men and women who make up this great democracy. If this measure is defeated we say to the country that we do not believe we have in this House the ability to pass on peace treaties. If this measure is defeated we take upon ourselves the terrible responsibility of saying that we do not think it is necessary to construct constitutional machinery needed to meet the problems of this scientific age. If we defeat this amendment we will, in my opinion, indicate to the world that we are hesitating in accepting international leadership in the postwar period.

#### EXTENSION OF REMARKS

Mr. PRIEST asked and was given permission to extend his remarks in the *RECORD* and include an editorial from the *Chattanooga Times*.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under previous special order of the House, the

gentleman from Michigan [Mr. JONKMAN] is recognized for 15 minutes.

#### CONGRESSIONAL FOOD STUDY COMMITTEE

Mr. JONKMAN. Mr. Speaker, under our law and Constitution, it is the function of Congress to represent the people in consideration and enactment of legislation. It should not be necessary for congressional committees and individual Members of Congress to devote their time, energy, and effort to investigating and correcting the administration of the laws they have enacted. This is particularly true at the present, when we should be devoting all of our effort to the tremendously complicated problems that face us in the postwar period to come.

Unfortunately, it has been necessary for both Houses of Congress to appoint special committees and for many Members to devote too much of their time to the investigation of administrative action as it relates to food and to other problems of the Nation. As every Member of the House knows, the food situation became so serious that as long as 2 years ago, the minority leader of the House of Representatives appointed a Republican Food Study Committee, chairmaned by our colleague, the Honorable THOMAS A. JENKINS, of Ohio, when the Democratic leadership of the House failed to take action on the matter.

The recent revelations in regard to the meat situation were brought to the attention of the House more than a year ago, but no official action was taken. Every charge made by the Republican Food Study Committee in that regard has been fully substantiated by the recent investigation and report made by the special committee to investigate food shortages for the House of Representatives. The misadministration of the whole meat program from the producer to the consumer is now known by everyone in the country. The same confusion, misadministration, and procrastination, through the failure to establish a central agency of government to handle the whole food program, is to be found in the administration of the sugar problem. I have repeatedly taken the time of the House to call attention to this deplorable situation.

On April 19 last, based upon an investigation made by the Republican congressional food study committee, I pointed out that the War Food Administration estimates of the amount of sugar to be available to the American housewife and commercial users during the present year were grossly exaggerated and that the truth of the matter, based upon reliable information secured from the industry itself, was that we faced the shortest sugar supply of the entire war period during the balance of this year. Now, at last, in an O. W. I. press release dated May 1, 1945, the O. P. A. and the War Food Administration have admitted that the country faces the worst sugar shortage of the entire war period. In four single-spaced mimeographed pages, these agencies attempted to explain the reasons for the sugar crisis, but they failed to admit the real cause for the sugar scarcity.

No one denies that some of this shortage is due to conditions beyond our control. On the other hand, no one can honestly deny that sugar cane and beet planting in the continental United States and in the off-shore producing areas would have been greatly increased if it were not for the failure of administrative officials to handle the problem properly. Apparently, the sugar shortage does not bother them. The sugar shortage is now official, but these responsible Government officers have not revealed the whole truth. They do not seem to know that the amount of sugar to be produced this year will be some 300,000 tons less than their latest revised estimates.

According to this official O. W. I. press release, here is the way the sugar situation shapes up for the rest of this year:

First. Consumers will have 25 percent less sugar on the table for use with their coffee, cereals, and fruits, and for home baking.

Second. Housewives will receive 45 percent less sugar for home canning than was provided last year.

Third. Hospitals and other institutional users will receive 17 to 30 percent less sugar for the consumers they feed.

Fourth. Restaurants, cafeterias, and other public eating places will receive 25 percent less sugar.

Fifth. Industrial users, such as bakers, soft drink and candy manufacturers, food canners, and others are warned to expect a reduction below the present ration, which is only 65 to 75 percent of pre-war requirements.

These reductions are inevitable because of the confusion created in administration. An examination of the O. W. I. press release, however, brings another strange fact to light. Consumers in the United Kingdom and in Canada are to receive an increased allotment of sugar for the balance of this year, while consumers in the United States are to experience a further sharp reduction. Congressional investigation is needed to find out why an arrangement is being made by United States Government officials, if the O. W. I. release is true, whereby the sugar shortage in the United States is to be further seriously aggravated by increasing the allotments to other nations.

Congress is powerless to correct the basic trouble so far as the remainder of this year is concerned, but we must insist that steps be taken immediately to prevent a further reduction in the sugar supply for 1946. In my recent statement, I invited attention to the fact that unless steps were taken within 5 weeks, there would be a further reduction of sugar production in Puerto Rico and Cuba, which jointly supply more than 60 percent of our sugar. In both of these great sugar-producing areas, there is no labor shortage and sugar does not displace any other major crop. The failure of United States Government officials to face the problem of sugar production realistically is withholding large acreage from production in both of these areas. They have taken no action to encourage the expansion of production for the coming season, and unless such action is

taken within the next few days, it will be too late to secure increased production for 1946.

Time is the very heart of this matter. Procrastinating Government officials may be willing to wait on endless surveys and time-consuming conferences—but nature and the planting season will not. The spring planting season in Cuba and Puerto Rico is now more than half gone. Only about 5 or 6 weeks remain in which to plant the crop that will be harvested in the early summer of 1946. The most favorable action 2 or 3 weeks from now will not leave time enough for a full planting, and thousands of acres of sugar land will be devoted to pasturing stock for the next year.

Puerto Rico, which this year will produce only 850,000 tons of sugar could and should be harvesting a crop of 1,200,000 tons. Cuba, which is harvesting a crop of no more than 4,000,000 tons could and should be harvesting a crop equal to or better than the 1944 crop which was 5,600,000 tons.

For reasons that have not been explained either to the Congress, the public, or the sugar producers, the governmental agencies having to do with this matter have failed to take action that would encourage sugar producers to expand their crop acreage. These Government officials have apparently devoted their energies to the negative policy of allocating whatever supplies happen to be available rather than following a positive course of encouraging greater production.

If necessary action is taken promptly, the potential shortage can be materially relieved for 1946, and we must insist that Federal officials, who control the entire production of sugar from beginning to end, lose no time in taking such steps as are necessary to assure the American public of a reasonable sugar supply next year. There can be no excuse for a further severe shortage.

#### LEAVE OF ABSENCE

Mr. BRYSON. Mr. Speaker, the gentleman from South Carolina [Mr. RIVERS], a distinguished Member of the House Committee on Naval Affairs, has been called out of the city on official business. I ask unanimous consent that he be granted leave of absence for the balance of this week.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from South Carolina [Mr. BRYSON] is recognized for 10 minutes.

#### GERMANY SURRENDERS

Mr. BRYSON. Mr. Speaker, in the glorious victories of the Allied forces in the European theaters of war there is great cause for rejoicing.

Naturally, the victories of our armed forces have brought joy to our civilians, and possibly their first thought is a celebration such as we have never had before in our country. Victories have brought to us joy and optimism and assurance that right reigns in the end.

But let us stop, look, and listen. What would our boys want—both those who have made the supreme sacrifice and those who will come back to join again the loved ones they have been separated from so long?

They have seen the stark tragedy of war. They have seen their comrades blown to bits—part of them mud, part of them blood, the rest of them not at all. And they have lifted up their hands in prayers of thankfulness as victories have come. They have thanked God for guidance, for instilling them with courage to meet the awful tests of hardship and battle.

After peace came in World War No. 1, in most of our cities there were wild, howling crowds bent on celebrating—drunkenness, fires, parades, and all that goes with such disorderly demonstrations.

If God's guidance has brought success to the Allied armies, as it surely has, there should be solemn thanksgiving instead of a wild orgy.

I doubt very much that the brave men who have given their lives, and who have passed on to their reward would approve of any program of destruction; they saw too much of destruction, of carnage, and slaughter when they held the gage of battle. And the living have seen too much of it, and they have well realized that God's watchfulness has been with them and they feel that there should be ceremonies in which God would be thanked for the blessings bestowed.

The hand of God has been so clear in the battles. The facetious remark credited to Napoleon that the Lord is on the side of the heaviest artillery has little standing when this has shown in so many instances, in so many battles. It is surprising that some have failed to recognize this. Our men in the armed forces know it; they have felt it, in their throbbing heads as they struggled forward against a hail of machine-gun bullets. The men in the ranks, the officers, the chaplains—oh, yes, they know.

Peace will mean great new problems which will have to be faced. No war has ever thrown industry and life itself so far out of gear as World War No. 2. The tremendous questions which will have to be determined when hostilities cease will require the very highest statesmanship the country has ever known. Wisdom of a high order will be a necessity.

And so as we give up prayers of thanks to God for the blessings of His guidance in the war, and for the splendid victories thus far attained, it is plain that we should offer up prayer for a wise solution of these problems and for wise action on the part of those to whom this great task is entrusted.

As such problems stand before us, we should engage in a dignified and solemn ceremony with an expression of thanks to God for victory and peace.

VE-day belongs to those who sacrificed most to make it possible. VE-day belongs to the front-line heroes, and with reverence we should commemorate the toil and sacrifice they gave for the cause of a better world.

Yes, Germany surrenders. Now we can expect to be bombarded with some of



the cleverest chicanery, hypocritical weeping, wailing, and lying that the world has ever known, for outdoing that which we were assailed with at the end of World War No. 1.

Now is the time when we, the United Nations, will have to arrange a settlement with these unrepentant barbarians, which, God willing, will be based upon justice for the victims whose populations they have destroyed, whose resources they have wasted, whose accumulated capital they have ruined and whose institutions they have wrecked.

The German Army is beaten to a frazzle. The supermen have become cornered rats. Their strutting field marshals, who have not been shot down like dogs by Nazi firing squads, are caged and tamed by the Russians or are hanging up new running records in retreats from broken fronts.

In this land, freedom made its home. It is your duty and mine to see to it that it shall not be banished from these shores. I claim no ability to walk with unshuffling feet the uncertain paths of prophecy, but I make bold to predict that when the smoke of this war's battles shall have been completely cleared away, it will clearly be seen that Old Glory, unstained and untorn, will yet be waving over this land—still the land of the free and the home of the brave; that when the constitutional infidels and saboteurs, the liberty thieves and freedom's foes are dead and in their forgotten graves, the Constitution, unaltered and unchanged, will be the supreme law of this land, and the liberty-loving, God-fearing men and women of this Nation, unashamed and unafraid, will still put their unfaltering trust and unflinching faith in that Constitution and pay undivided allegiance and unstinted tribute to that flag. May God grant it so!

The war at this point is but half over. We must not relax our war efforts. We must continue to save, give, and buy. We must save scrap, give blood, and buy bonds until Japan surrenders. Remember there will be millions of Americans still under arms in the Pacific, engaged in fighting a war against Japan. There are the wounded and the dead, who have sacrificed themselves to bring about the defeat of Hitler. Can we think of them and go on a V-day jag? We can rejoice in the victorious result of their pain and death, we can feel a sense of utmost relief and gratitude, but are we in the mood to scream and throw ourselves about like jitterbugs? It ought not to be. Let us recapture the mood of D-day, which was not one to blow whistles and sirens, but to bow in solemn prayer.

One thing especially is needful, in order to keep the lights on in the world—faith—faith in ourselves, faith in the heritage that is ours, faith in those inalienable rights which were given to man by the Creator of the universe.

We, on V-day, our homage pay  
To God, for everywhere  
The bombings cease, that silent peace  
May solemnize the air,  
Which lately roared, as airplanes soared  
And from the skies, in torrents poured—  
As warnings to the earth—  
Their deadly bombs on tyrants' homes,  
That peace might have its birth.

A peaceful calm, sweet as a psalm,  
Too merciful to tell,  
Devoid of mirth, enwrapped the earth  
When Mussolini fell;  
But justice cried, when Hitler died;  
Or when the Reich about it lied.  
If mercy stopped his breath,  
He went straight down shorn of his crown,  
Into the darks of death.

Most of us felt that Roosevelt  
Should not have died just now,  
But God thought best to let him rest,  
Hence, we must humbly bow.  
He, far away, sees this V-day—  
For which he once was wont to pray—  
And he, from out the blue,  
With that broad smile that knew no guile,  
Sees his dream coming true.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. BRYSON. I yield.

Mr. KUNKEL. I compliment the gentleman on his speech.

Mr. BRYSON. I thank the gentleman.

Mr. KUNKEL. I think the gentleman has called the attention of the public to one of the most important things we have to consider in the postwar world. We must have a religious revival if we are going to have a successful peace, a peace which will be permanent. I think the gentleman has done a great service to the country in his speech today in calling the attention of the Congress of the United States and through the Congress to the people of the Nation to that fact.

Mr. BRYSON. I thank the gentleman for his very true observation.

#### PROPOSED SECRETARY OF DEPARTMENT OF VETERANS' AFFAIRS AS CABINET MEMBER

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that I may address the House for 3 minutes and extend as part of my remarks a letter received from the Surgeon General of the Public Health Service, General Parran, regarding the improvement in the Nurse Corps since they were allowed to commission their nurses.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, as the announcement of VE-day nears, every one of us in the House knows our first duty is to the disabled among those men and women who have borne the brunt of battle and who have made VE-day possible for us. Our work for them is only just beginning.

Mr. Speaker, I introduced some time ago a bill which would create a Department of Veterans' Affairs, providing for a Secretary, a Cabinet member, who would sit at the Cabinet meetings held by the President, and who would fight for the veterans and see that they receive justice. In addition to the Cabinet member there would be an Under Secretary and five Assistant Secretaries.

The Surgeon General would be one of the Assistant Secretaries under the bill. Within that Department there should be a permanent medical corps which would contain a permanent nurse corps.

Since I introduced the bill which would create a Department of Veterans' Affairs

I have received many letters from all over the country. The writers of those letters have said in numerous cases, "It is the first time I have ever written to any Member of Congress about any piece of legislation, but I heartily endorse the Department of Veterans' Affairs, because I think in that way the veterans will receive justice."

Mr. Speaker the most immediate and crying need is for nurses in the Veterans' Administration. They are short 1,000. Lives can be saved with enough nurses. It is also true in connection with nervous cases that it is vitally necessary that nurses watch the progress of the patients constantly. The doctors cannot be with the patients all the time. Adequate nursing means the off chance for recovery in many cases. If there are enough nurses they can watch them. There was a suicide in one of the Government hospitals recently. That suicide, in my opinion, could have been prevented by quick action. It was a nurse who warned that the patient might commit suicide. A permanent nurse corps is one of the vitally necessary provisions that should be made at once.

I asked General Parran how the Nurse Corps in the Public Health was working out. When you read his letter you will see that it has improved the morale tremendously and has brought more nurses into the Service. The letter is as follows:

The Army has a permanent and efficient nursing corps. Also the Navy and the Public Health Service have efficient nursing corps. The Veterans' Administration has very unselfish efficient nurses but they are very much overworked due to the shortage of nurses. They need 1,000 nurses at once. There is no inducement for them to enter the Service. Those who are caring for our veterans are doing so at great personal sacrifice.

Surgeon General Parran's letter, to which I have previously referred, is as follows:

MAY 4, 1945.

HON. EDITH NOURSE ROGERS,  
House of Representatives,  
Washington, D. C.

DEAR MRS. ROGERS: This is in reference to your telephone call today in which you inquired as to what effects we had seen of the policy recently authorized for the Public Health Service to grant commissions to our nurses. I am very glad to tell you of our experience.

For a number of years, nurses in the Public Health Service, as well as the national nursing organizations, have urged that we should grant commissions to them. They cited the precedent in the Army and Navy. In July 1944 we secured specific congressional approval in Public Law No. 410 for the commissioning of nurses, both in our regular corps and in the reserve corps. Their pay and allowances and other rights and privileges are on the same basis as those accorded to our medical, dental, sanitary engineering, and other scientific officers. Because of lack of sufficient funds, it was not possible to put this new policy into effect until the beginning of this year. Prior to that time we had lost a considerable number of our nurses to the Army and Navy. They had been replaced to some extent by war service appointments, frequently married nurses, wives of men in the military forces, and others who had local ties and were available only for service in a particular locality. This group,

by the large, were not willing to accept commissions because of the obligation carried to perform general service wherever needed for the duration of the war.

Another group of our nurses in the older-age brackets have accumulated rights under civil service which they were loath to sacrifice. In this group also was a high proportion of those who could not pass the physical examination. As a result of the above considerations, about half of the nurses in our hospitals have qualified for commissions. A much larger proportion of our Public Health nurses and of our administrative staff in the nurse-education program also have qualified and are on active duty.

The general effect of granting commissions to our nurses has been to give a great boost to their morale. They feel a sense of participation in the war effort and of recognition for their valuable services which heretofore had been denied them. Even though we were not able to inaugurate this policy until recently, the effects still have been very beneficial; and had we been able to grant commissions to nurses at the beginning of the war, we would now be in a much better position.

I am attaching also a statement which I presented to the Appropriations Committee as of possible interest in bearing upon your question.

Sincerely yours,

THOMAS PARRAN,  
Surgeon General.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MADDEN and Mr. BATES of Massachusetts (at the request of Mr. VINSON), for 10 days, on account of official business.

To Mr. HEALY (at the request of Mr. HOLIFIELD), for 2 weeks, on account of official business.

#### ADJOURNMENT

Mr. CARNAHAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 58 minutes p. m.), the House adjourned until tomorrow, Tuesday, May 8, 1945, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, May 8, 1945, to resume public hearings on S. 63 and H. R. 1648, to amend the Communications Act of 1934, as amended, so as to prohibit interference with the broadcasting of noncommercial cultural or educational programs.

##### COMMITTEE ON IMMIGRATION AND NATURALIZATION

Subcommittee No. 2, of the Committee on Immigration and Naturalization (Representative FISHER, chairman), will hold a hearing at 10:30 a. m. on Wednesday, May 9, 1945.

##### COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an executive session on Tuesday, May 8, 1945, at 10:30 a. m., in committee room 356, Old House Office Building.

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Bridge Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Friday, May 11, 1945.

To begin public hearings on H. R. 541, a bill authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

444. A communication from the President of the United States, transmitting a supplemental estimate of appropriations for the fiscal year 1946 in the amount of \$2,500,000 for the Office of Price Administration (H. Doc. No. 168); to the Committee on Appropriations and ordered to be printed.

445. A communication from the President of the United States, transmitting a supplemental estimate of appreciation for the fiscal year 1945 for the Public Health Service, Federal Security Agency, amounting to \$600,000 (H. Doc. No. 169); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANKIN: Committee on World War Veterans' Legislation. H. R. 3118. A bill to amend section 100 of Public Law No. 348, Seventy-eighth Congress, June 22, 1944, to grant certain priorities to the Veterans' Administration, to facilitate the employment of personnel by the Veterans' Administration, and for other purposes; with an amendment (Rept. No. 523). Referred to the Committee of the Whole House on the state of the Union.

Mr. SLAUGHTER: Committee on Rules. House Resolution 245. Resolution providing for the consideration of H. R. 2347, a bill to provide and insure a dependable supply of domestic natural rubber, and for other purposes; without amendment (Rept. No. 524). Referred to the House Calendar.

Mr. SPARKMAN: Committee on Military Affairs. H. R. 1947. A bill to authorize an increase in the pay of the chaplain at the United States Military Academy while serving under reappointment for an additional term or terms; without amendment (Rept. No. 525). Referred to the Committee of the Whole House on the state of the Union.

Mr. BATES of Kentucky: Committee on Rules. House Resolution 246. Resolution providing for the consideration of H. R. 3035, a bill to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes; without amendment (Rept. No. 526). Referred to the House Calendar.

Mr. CLARK: Committee on Rules. House Resolution 247. Resolution providing for the consideration of H. R. 2113, a bill to amend the Federal Farm Loan Act, the Emergency Farm Mortgage Act of 1933, the Federal Farm Mortgage Corporation Act, the Servicemen's Readjustment Act of 1944, and for other purposes; without amendment (Rept. No. 527). Referred to the House Calendar.

Mr. COX: Committee on Rules. House Resolution 248. Resolution providing for the consideration of H. R. 1270, a bill to provide

for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd; without amendment (Rept. No. 528). Referred to the House Calendar.

Mr. McCOWEN: Committee on Immigration and Naturalization. H. R. 3087. A bill to correct an error in section 342 (b) (8) of the Nationality Act of 1940, as amended; without amendment (Rept. No. 529). Referred to the Committee of the Whole House on the state of the Union.

#### ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. MAY: Committee on Military Affairs. House Resolution 150. Resolution directing the Secretary of War to transmit certain information to the House (Rept. No. 522). Referred to the House Calendar and ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GEELAN:

H. R. 3138. A bill to provide for the taxation of certain nonresident aliens; to the Committee on Ways and Means.

By Mr. BLAND:

H. R. 3139. A bill to authorize the Coast Guard to investigate and employ new methods of promoting safety at sea and aiding navigation; to the Committee on the Merchant Marine and Fisheries.

By Mr. CANNON of Missouri:

H. R. 3140. A bill to provide for emergency flood-control work made necessary by recent floods, and for other purposes; to the Committee on Flood Control.

By Mr. STARKEY:

H. R. 3141. A bill to authorize the use of penalty envelopes of the Veterans' Administration by veterans receiving hospital treatment or domiciliary care furnished by the Veterans' Administration; to the Committee on the Post Office and Post Roads.

By Mr. DINGELL:

H. R. 3142. A bill to postpone for 20 years the imposition of import duties and other import restrictions on articles imported into the United States from the Philippine Islands; to the Committee on Insular Affairs.

By Mr. FLANNAGAN:

H. R. 3143. A bill to provide assistance to the States in the establishment, maintenance, operation, and expansion of school lunch programs, and for other purposes; to the Committee on Agriculture.

By Mr. EDWIN ARTHUR HALL:

H. Res. 249. Resolution directing the Secretary of War and the Secretary of the Navy to transmit to the House of Representatives copies of all plans of their respective Departments for providing transportation home to persons in the armed forces returning to the United States on furlough after victory in Europe; to the Committee on Military Affairs.

By Mr. CASE of South Dakota:

H. J. Res. 179. Joint resolution to supplement the act of June 3, 1920 (41 Stat. 738), to provide for a full accounting in the pending claims of the Sioux Tribe of Indians; to the Committee on Indian Affairs.

By Mr. EBERHARTER:

H. J. Res. 180. Joint resolution giving official recognition to the pledge of allegiance to the flag of the United States; to the Committee on the Judiciary.

By Mr. FORAND:

H. J. Res. 181. Joint resolution declaring the birthday of Franklin Delano Roosevelt to be a legal holiday; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. J. Res. 182. Joint resolution to provide for the construction of a suitable memorial



to those who served in the armed forces in World War I and World War II, to be known as World Wars Memorial Temple; to the Committee on Public Buildings and Grounds.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to establish or designate a special agency to which municipalities and other public bodies may deal in the purchase of Federal surplus properties; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to income and resources of recipients of aid to the aged and of aid to the blind; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to making President Roosevelt's birthday, January 30, a legal holiday; to the Committee on the Judiciary.

Also, memorial of the Legislature of Costa Rica, memorializing the President and the Congress of the United States by expressing deep sympathy in regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to extend to the Postal Service employees within the Territory of Hawaii the 25-percent differential now enjoyed by all Federal employees within the Territory; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to amend the act of Congress, approved June 3, 1916 (ch. 134, 39 Stat. 166), referring to the appointment of the adjutant general of the National Guard of the Territory of Hawaii; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States to waive payment of interest and authorize refund of interest heretofore paid on deficiencies in income taxes arising out of the Oklahoma community-property law being invalidated for Federal income-tax purposes by the Supreme Court of the United States; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to pass Senate bill 181, to provide for equalization of educational opportunity; to the Committee on Education.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to appropriate funds and to direct construction of such tunnel and highway through the head of Kalihi Valley connecting the leeward and windward sides of the island of Oahu; to the Committee on Roads.

Also, memorial of the Legislature of the Commonwealth of the Philippines, memorializing the President and the Congress of the United States by expressing the grief of the Filipino people over the sudden and untimely passing of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAVENNER:

H. R. 3144. A bill for the relief of the State Compensation Insurance Fund of California; to the Committee on Claims.

By Mr. MCKENZIE:

H. R. 3145. A bill for the relief of A. C. Means; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

548. By Mr. COCHRAN: Petition of Charles Goodhart and 23 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

549. Also petition of August Bumb and 32 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

550. Also, petition of H. S. Schwenbeck and 28 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

551. Also, petition of Arthur Fonville and 28 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

552. Also, petition of Thomas Cleaver and 30 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

553. By Mr. FORAND: Petition of Local No. 2459, United Textile Workers of America, affiliated with the American Federation of Labor, signed by Joseph Deignan, president of that local, and by 126 employees of the Cranston Print Works Co., Providence, R. I., urging defeat of H. R. 2652, providing for the extension of the Reciprocal Trade Agreements Act, because of the necessity of tariff protection and to maintain the high American standards of living, because of the lack of assurance that it would benefit America, and because of disastrous results to labor and industry in the few cases where application of its provisions was made; to the Committee on Ways and Means.

554. Also, petition of Local No. 2195, United Textile Workers of America, affiliated with the American Federation of Labor, signed by George B. Sanford, president of this local, and by 186 employees of the American Woolen Co. (National and Providence Mill, Providence, R. I.), urging defeat of H. R. 2652, providing for the extension of the Reciprocal Trade Agreements Act, because of the necessity of tariff protection and to maintain the high American standards of living, because of the lack of assurance that it would benefit America, and because of disastrous results to labor and industry in the few cases where application of its provisions was made; to the Committee on Ways and Means.

555. Also, petition of the Sacramento City Council, urging consideration of their resolution with reference to providing a wage readjustment for Postal Service employees; to the Committee on the Post Office and Post Roads.

556. By Mr. MOTT: Petition signed by Mrs. Cora Morlan and 40 other citizens of the State of Oregon, urging enactment of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

557. By Mr. FORAND: Petition of Local No. 35, United Textile Workers of America, affiliated with the American Federation of Labor, signed by Charles Sullivan, president of the local, and 171 employees of the Lister Worsted Co., Stillwater, R. I., urging defeat of House bill 2652, providing for the extension of the Reciprocal Trade Agreements Act, because of the necessity of tariff protection to maintain American standards of living, because of the

lack of assurance that it would benefit America, and because of disastrous results of labor and industry in the few cases where application of its provisions was made; to the Committee on Ways and Means.

## HOUSE OF REPRESENTATIVES

TUESDAY, MAY 8, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, offered the following prayer:

O Lord God Omnipotent, who maketh wars to cease unto the ends of the earth, we praise and magnify Thy holy name, for through Thy might and Thy mercy we have been brought to this day of grace and of victory.

We have watched and waited, we have longed and labored, we have hoped and prayed. We have not kept vigil in vain, for Thou hast rewarded our labors, fulfilled our hopes, and answered our prayers. May we now dedicate this day of high and holy remembrance to Thy glory.

When we call to memory with pride, gratitude, and love that vast multitude who struggled so heroically and endured so valiantly, giving their very lifeblood in order that this day might be possible, we cry out, "Alas, alas, next to defeat, the saddest thing is victory at such a cost."

We pray that we may earnestly and faithfully endeavor to prove worthy of their sufferings and sacrifice. May the freedom that they have achieved for us be a blessing and bring forth the fruits of righteousness. Grant unto us the rapture of the forward look and the joy of going on from victory unto victory until we reach that glorious goal and that blessed day of prediction when selfishness, greed, envy, prejudice, and all the baser passions which are the seeds of war and strife among men and nations shall be forever banished from the earth and groping humanity shall enter into the joy of a just and lasting peace. God, make us better men.

Humbly and penitently, we offer our petitions in the name of the great Captain of our salvation, the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Gatling, its enrolling clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 939. An act to extend the provisions of the act of November 29, 1940 (Public Law No. 884, 76th Cong., 54 Stat. 1219), relating to promotion of Medical, Dental, and Veterinary Corps officers.

The message also announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive